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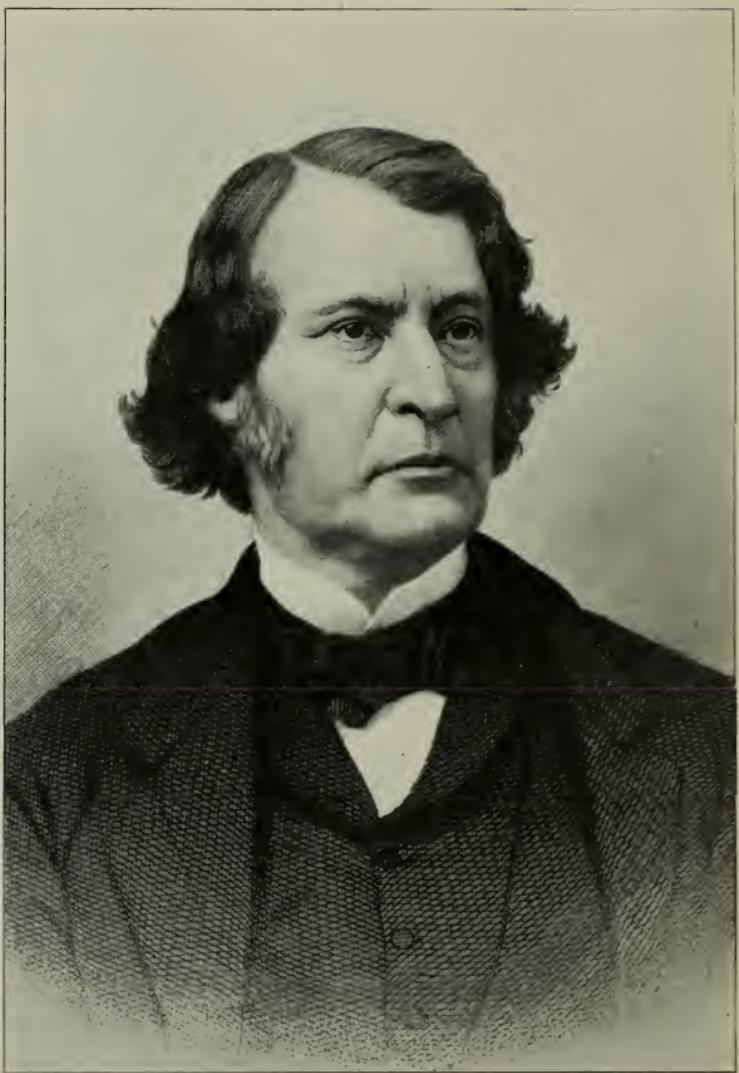
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No









Charles Sumner

*American Reformers Series*

# CHARLES SUMNER

*The Scholar in Politics*

BY

ARCHIBALD H. GRIMKE, M.A.

*Author of "William Lloyd Garrison," etc.*



FUNK & WAGNALLS COMPANY  
NEW YORK and LONDON

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## **Dedication.**

*To my dear child, Angelina, whose long and painful illness occupied so much of my thoughts during the composition of these pages, this record of a noble life is lovingly dedicated.*



## P R E F A C E.

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IN the two volumes assigned to him in the American Reformer Series, viz., the "Life of WILLIAM LLOYD GARRISON, the Abolitionist," and that of "CHARLES SUMNER, the Scholar in Politics," the Author has tried to give a comprehensive view of the forces, moral and political, which combined to achieve the downfall of slavery and the slave-power in the United States.

In the "Life of Garrison" his pages are mainly concerned with the moral aspect of the great struggle, while in the "Life of Sumner" the political side of the contest has chiefly occupied his attention. Garrison, more than any other man, embodied the moral forces of the conflict, the story of his life being essentially the history of the moral uprising against Slavery; while on the other hand Sumner was the impersonation of the political movement against the giant evil of the country.

Between these two volumes the Author hopes that he has measurably succeeded in conveying a tolerably comprehensive and vivid impression of that grandest chapter which America has yet contributed to the universal history of Liberty, Equality, and Fraternity. The period covered by the irrepressible conflict is, to his way of thinking, preëminently the moral age of the Republic; and to his mind Garrison and Sum-

ner, with Wendell Phillips, constitute the three principal figures and actors, the elect and glorified spirits and leaders in that mighty battle of Right and Wrong.

As this volume takes its place in the series, the earnest wish of the Author goes with it that the great example herein contained, of renunciation of self for fellow-men, of absolute devotion to duty, of incessant and uncompromising support of heaven-born ideas and principles, and of magnificent labors in the cause of a common humanity, without distinction of race, color, or condition, may be to many a savor of life unto life to the end that America, like the Divine Parent, shall have no respect to the persons of her children whether they be black or white, but shall treat all as equals throughout her broad lands, and before the genius of her laws.

HYDE PARK, MASS.,  
December 30, 1891.

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# CHARLES SUMNER.

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## CHAPTER I.

### ANCESTRY AND ANTECEDENTS.

CHARLES SUMNER was born in the West End of Boston, January 6, 1811. The founder of the American branch of the family, William Sumner, emigrated from England with his wife, Mary, and three sons, about the year 1635, and settled in Dorchester, in the Colony of Massachusetts Bay. There and in Milton the Sumners, during the seventeenth and eighteenth centuries, made farming pay, turning out of the stony soil golden crops in more senses than one. For, while they increased their acres and builded new barns, they also laid up for their children goodly shares of virtue and intelligence. These goodly shares in the family bank of character and ability yielded every now and then an extra dividend in the shape of a Sumner of unusual force and distinction in society and the State.

One of these extra dividends upon the moral capital of the family was Job Sumner, the grandfather of our hero. A rather remarkable man, with a somewhat remarkable career, was Job Sumner.

He was a freshman at Harvard University when the Battle of Lexington was fought. The emergency, he perceived, demanded soldiers not scholars then, and boy though he was, and thirsting for knowledge, he promptly determined to meet the demand of the hour by making himself into a soldier.. Accordingly, a few weeks later the young collegian forsook his studies and joined the American Army at Cambridge, subsequently commanded by Washington. That Job Sumner had in him the stuff of which soldiers are made is shown by the fact of his entering the Continental service as an ensign, and of his being mustered out as a major at the close of the war for independence.

Besides his military capacity, Major Sumner was also a man of affairs, and attained under the Confederation distinction as a civilian. In 1785, Congress entrusted him with a commission to adjust the accounts between the Confederation and Georgia. This business carried him South, where he resided during the last years of his life. These last years were spent by him, therefore, in the very heart of the slave system. The precise attitude of the man, during this time, toward the slave system cannot now be positively known. But that it was not a hostile one may reasonably be inferred from his long residence in Georgia, and from his undoubted popularity in the aristocratic circles there—a thing quite unlikely to occur were he at all suspected of being opposed to slavery. Indeed, this popularity of the commissioner was of so marked a character that there ran a tradition that shortly before his death he was the recipient of a very large vote in the legislature for the governorship of the State. But whether this last is fact or fancy,

so much may be set down as morally certain that Major Sumner's status in Georgia was the status of a friend of the master, not of the slave. He was not a man to look on the darker side of life in general or of Southern life in particular. He had no touch of the Puritan in his constitution, but was of a gay and social temper, a lover of music and hunting songs, with a strain of the cavalier instead in his disposition. Upon such an one the barbarism of slavery was not likely to produce any strong impression. On the contrary, upon him the power, the leisure, the outdoor sports, the stately manners, the lordly hospitality and the baronial splendor of the masters were calculated to exert an attraction amounting almost to fascination. All this magnificence was quite enough to dazzle and blind the moral vision of a mere man of the world, as was Major Sumner, to the other and uglier aspects of the question, to those social enormities which lay at the centre of the slave system and which made of it the "sum of all villainies."

Job Sumner never lost his thirst for knowledge. He was a lifelong lover of good books and a reader of them also. His appetite for learning reappeared in his son, and drank deep of the Pierian Spring in the scholarship of his illustrious grandson. "Eloquence and manners" were the two principle points which he set up in the education of his heir. They with "wisdom and the languages" seemed to him to be "the grand pillars of all great objects and great men." If he failed in respect of their acquirements in his own life, he meant to succeed, if possible, in respect of them in the life of his child. The ambition of the father for excellence and distinction

descended with the paternal estate to the son, Charles Pinckney, whose name bears witness to the Southern slant of Job Sumner's early political inclination and sympathy.

The father of Charles Sumner was of another mould than the grandfather. Life did not run merrily with him. He was in truth a reversion to the stern and sombre type of the Puritan. The love of books, the scholarly tastes, the ambition for excellence and distinction he inherited from Major Sumner, and he bettered his inheritance. Fortune favored the son in this regard as it did not favor the father. For Charles Pinckney Sumner received the education of a gentleman. He graduated from Harvard College in the class of 1796. Subsequently he studied law, and began its practice in the office of Josiah Quincy, in Boston, about 1799. But, although a learned lawyer, he did not succeed in building up a lucrative business. His practice was in fact quite insignificant, altogether inadequate to the support and education of an increasing family. For, notwithstanding the gloomy and unsocial character of the young attorney, he was evidently of the general opinion of mankind that it is not well for man to live alone. And so, in pursuance of this sentiment, he wooed Relief Jacob, of Hanover, and wedded her April 25, 1810. She supplemented the deficiencies of the husband in all respects where these with another sort of wife might have affected disastrously the happiness of the family. She was a woman of sterling good sense, of splendid physical health, of an equable and a cheerful temper. She made a model mother to the children of Charles Pinckney Sumner.

Children came promptly to the pair. Nine months after their marriage the young wife was delivered of twins—a boy and a girl. The boy was he who is the subject of this book. At the end of ten years there was a family of four boys and two girls. With an increasing family of children there fell upon their bread-winner increasing cares. The wherewithal to fill so many mouths, both of the mind and of the body, became a problem doubtless of no little perplexity and difficulty to the father. His practice of the law proving unequal to the exigency, Mr. Sumner abandoned it in 1819, after the arrival of the fifth mouth, and before the advent of the sixth, and accepted the office of a deputy sheriff for Suffolk County, from which he derived an income of something less than a thousand dollars a year. Now, small as is this amount, it was certain, and in all matters, touching the support of a poor man's family, a bird in hand is worth two in the bush. The condition of the Sumner family was distinctly bettered by this change. The two ends began then to meet much more easily and comfortably, thanks always to the housewifely management and thrift of the mother.

The tide of fortune, which had made so feeble a beginning for the Sumner family, flooded in 1825 when the ex-attorney at law received the appointment of high sheriff for Suffolk County. There was from that time a decided access of the circulating medium in that household. Mr. Sumner's annual income from this source more than doubled, and during some years more than trebled the amount of the receipts from the office of deputy sheriff. The contracted circumstances of the family gave place to

ampler living and prospects. Directly after his promotion to the shrievalty, Mr. Sumner moved his family from the small frame-house, where eight of his nine children were born, and which was then standing on the southeast corner of what to-day are known as Revere and Irving streets, then May and Buttolph, to the more commodious dwelling, number sixty-three Hancock street, as the numbers now run. Five years later, in 1830, Mr. Sumner's improved circumstances enabled him to purchase number twenty on the same street as a homestead, which was so occupied thereafter until the death of his widow in 1866. The augmented resources of the father bore other fruits, indicative of his increased official and social importance in the city. Twice a year he entertained at dinner the judges, members of the bar, and other distinguished gentlemen. But perhaps the most considerable result, which the favorable turn in the father's affairs produced, was the sending to Harvard of his eldest son. For that event exercised no slight influence in the elevation of the Sumner name and character to the national regard and renown, to which they subsequently attained in the life and labors of that selfsame eldest son.

Mr. Sumner occupied the post of sheriff for a period of nearly fourteen years, until in fact within two weeks of his death on April 24, 1839. The Sumner courage, independence, and devotion to duty, which developed to such magnificent proportions in the son, the father possessed to a marked degree. Where duty called him no danger, however stern, was able to deter him from appearing. This trait of the man found striking illustration in 1837 when on the occasion of

a riot in Broad street he read amid a shower of missiles the Riot Act to the rioters. At the time of the Broadcloth mob which drew Garrison through the streets of Boston his courage and devotion to duty were put to the severest test in the strenuous resistance which he as sheriff offered to that pro-slavery mob of gentlemen of property and standing in the community. But not once did he flinch in that emergency, but stood stoutly for law and order on that memorable October afternoon in 1835, throwing himself and his deputies intrepidly between the murderous rioters and their object, and earning thereby the publicly expressed thanks of the great Abolitionist whom he so bravely protected.

An incident in the summer of 1836 evinced the manly stuff of which his independence was made. There had been an attempt to return two female fugitive slaves under the Act of 1793 in the Supreme Judicial Court of Massachusetts. On account of some technical defect in the proceedings Chief Justice Shaw was of opinion that there was not sufficient authority to hold the women, and so remarked in a judicial aside, which being caught by Samuel E. Sewall who was acting as counsel for the fugitives, was quickly communicated by him to their friends of which there were not a few in the court-room at the moment. Whereupon the women were suddenly spirited out of the room and the clutches of the slave-catchers. Of course the baffled slave-catchers were enraged ; so also were their sympathisers in Boston. Such a miscarriage of pro-slavery justice in 1836 was a rank offense in the nostrils of those gentlemen of property and standing, who not one year before had

overturned law and order in the city for the sake of putting Abolition down. They were now, however, terribly scandalized by the rampant lawlessness of the two wretched women and their friends in evading the execution of a statute on which depended the peace and stability of the Union. Great failures, or little ones for that matter, require a scapegoat, a victim of some kind, on whose head all blame for them may be laid. Sheriff Sumner was in this case selected as the victim, and on his head was charged the responsibility for the escape. Had he not absented himself at the time from the particular room in the court-house where the fugitives were under examination; had he provided an adequate force in anticipation of a rescue—well the dignity of the law would have been sustained, and the property of the dear South faithfully returned under the Constitution. He was besides accused of having expressed to Samuel E. Sewall sympathy with the women, to which he thus boldly replied: “Whether I addressed Mr. Sewall, as it is said, I cannot tell; but I should be ashamed of myself if I did not wish that every person claimed as a slave might be proved to be a free man, which is the purport of the words attributed to me.” And again at another time he wrote: “It seems to me as if there were some persons in Boston who would have been gratified to see those women (after being liberated from one unlawful detention) seized in the court-house, in the presence of the judge, and confined till proof could be sent for to Baltimore, and from thence to be sent to Boston, to make them slaves. I hope the walls of a Massachusetts court-house will never witness such a spectacle.”

The pro-slavery tide of the city ran so strongly against the sheriff in consequence of his alleged responsibility for the escape of the two women, that Mr. Sumner tendered to Edward Everett, who was then Governor of the State, the resignation of his office. But it is to the credit of the eloquent dough-face executive that he did not sacrifice the brave old man to the pro-slavery clamor of his constituents. The love of liberty of Charles Sumner's father cropped out prominently in this episode of the slave women. But more than forty years before, when he was a senior at Harvard College, it cropped out in a poem no less distinctly.

“No sanctioned slavery Afric’s sons degrade,  
But equal rights shall equal earth pervade,”

sang the young disciple of democracy. He was, indeed, thoroughly anti-slavery, seasoned, so to speak, in the grain and fibre of him, with a love of freedom and equality. At a time when the prejudice against color was universal, and most barbarous and atrocious, he seemed singularly devoid of all taint of its inhumanity. To the colored people whom he met on the streets of the city, as it was with the white people, he was no respecter of persons, returning salutation for salutation in his stiff, ceremonious manner. He opposed the spirit of caste, was entirely willing to occupy a seat on the bench by the side of a negro judge, was opposed to the exclusion of colored children from the public schools of the city, also to the statutory prohibition of the intermarriage of the blacks and the whites. He was particularly pronounced against the lawless demonstrations in the North to-

ward the Abolition movement. He was, in fine, a man who was immovably anchored to liberty, to law, and order. As early as 1820, he entertained startlingly bold views in regard to the conflict between freedom and slavery in the Union. "Our children's heads," he was once heard to say, "will some day be broken on a cannon-ball on this question." Little dreamed he at the time that the head of his nine-year-old boy would be broken among the first of the heads of the then rising generation, which he foresaw were destined to so tragic a fate. His Puritanic abhorrence of vice led him as early as 1830 to take public and advanced ground in favor of temperance, and for the divorce of the State from the Rum Power. During his student-years at Harvard he eagerly anticipated the time "when futile war shall cease thro' every clime." Take what we already know of him in connection with the laboriousness and thoroughness with which he pursued knowledge, and does it not seem that Charles Pinckney Sumner was designed by nature for a part greater than the one played by him in society and the State? The design was defeated by some defect of character, or environment, or possibly of both. But nature in this instance was but temporarily balked of her purpose. For what was wanting in the sire she mixed with no niggard hand into the mental and moral qualities of the son, who bore not the whole, but a part only of the father's name, as if to mark a difference which controls character and destiny.

Charles's childhood was not unlike that of a hundred other boys of his class in Boston during the same period. He first attended a private school, and

afterward the famous Latin School of the city where he was not especially distinguished above his mates as an apt scholar. Indeed, his average standing was, perhaps, not much, if any, above mediocrity during the five years of his attendance upon this school. He was weak in mathematics, but strong in the Latin and Greek classics, particularly in the former, which is evinced by the number of prizes which he won for translations from that language into English in the years 1824 and 1826. If he was not among the first of his class in the prescribed studies, he was considerably in advance of the foremost in the knowledge which comes from general reading, especially in the departments of history and English literature. His appetite in respect of these subjects was precocious and enormous. Like Edmund Burke he had his *furor historicus*, which comprehended the study of geography as well. This and his passion for *Belles Lettres* lasted him through life. But, unlike Burke, he took not to mathematical subjects, nor to those of logic or metaphysics, which seemed to indicate thus early a lack of versatility and symmetry of faculties. His knowledge of books in general, and of history in particular, was the wonder of his mates. The watershed of his mind, so to speak, if wanting in the direction of the exact sciences and of speculative studies, was of amplitudinous proportions toward the quarter where lie the humanities. Metaphorically, the winds were always blowing and the floods ever descending along this slant into his mind. The boy proved the father of the man in this regard, and in other regards as well.

Quite early he developed a remarkable capacity

for sustained labor along lines of his own choosing. If he attacked a book of history he went at it with an earnestness and a thoroughness which left no page unappropriated, no place unlocated on the maps spread out before him. Even when a mere slip of a boy he did nothing by halves. The pursuit of knowledge was even then a delight, and to be thorough a necessity of his nature. There was nothing intermittent and gusty in his energy and industry. Constancy was an attribute of the boy as it was later of the man. In truth, this precocious capacity for sustained labor, together with the thoroughness and constancy with which the boy pursued a given subject, were, as we look back over those early years, nor more nor less than the obscure dawn of the man's future noon.

The boy possessed a natural disinclination to the games of childhood. There was an infinite amount of study in him but precious little sport. This was at once his strength and his weakness. For, while it served to place him *en rapport* with great men and their ideas and deeds, it operated also to exclude him too much and too early from the real, the actual, in our work-a-day world. In this isolated state knowledge from a hundred sources in the world of letters streamed into his mind, but altogether too little found its way there directly from that vast reservoir of all knowledge—life itself. His playfellows he sought in the realm of fancy and genius. With them he found himself in touch. This idiosyncrasy of the boy left its limitations upon the man. The boy had no capacity for play, the man none for humor. A certain versatility and spontaneity of

thought and feeling, accordingly, he always lacked. And, lacking them, he failed to reach the highest rank in eloquence, either popular or parliamentary.

At the age of fifteen he entered Harvard College. This was not, however, the original object of his desire which was for a military education. This wish of the boy was seconded by his father who endeavored to find an opening for him into the National Academy at West Point. The ill success of these endeavors, together with the favorable turn which the affairs of Mr. Sumner took, through his appointment to the Suffolk shrievalty, probably determined him to give Charles a liberal education. And so, of course, he was sent to the College at Cambridge. Here the youth grew in mental stature but away from the curriculum standard and toward the innate forces and biases of his mind. His inaptitude for metaphysical studies was palpable, and in mathematics he was a flat failure. For himself, and as regards any comprehension of those subjects, they were "Mathematics piled on mathematics! Metaphysics murdered and mangled!" during the entire four years of the course. To this circumstance was undoubtedly due the fact that in rank he stood well down toward the middle of his class. In a class of forty-eight he was not among the sixteen who were elected into the Phi Beta Kappa Society.

Notwithstanding this failure of young Sumner to take high rank in his class, his industry along lines of general knowledge was extraordinary. The qualities which we have already noted as belonging to him, his capacity for sustained labor, his thoroughness and constancy, as also his indisposition to mingle

with his mates in their sports and pastimes, received during these years the most emphatic demonstration and development. His joy was in exploring a library or delving into works of history and general literature. In his chosen field he was probably without a peer among his fellows. His indefatigable and prodigious industry made marvel for youths not of his class. Wendell Phillips, who was in the class just below him, used to recall how, when he and others of the students were wont to return from Boston in the small hours of the morning, and to make those hours jocund with song and merriment, they would see the solitary light burning in Sumner's window, and would know by that sign that the young scholar was still poring indefatigably over his books. In his senior year, he won the second Bowdoin prize of thirty dollars, taking for his theme "The Present Character of the Inhabitants of New England, as Resulting from the Civil, Literary, and Religious Institutions of the First Settlers," in whose composition his wide reading must have stood him in good stead. Other qualities than those already remarked upon began during his four years at Harvard to disclose themselves saliently in his fast-forming character. One of these was a constitutional inability to abandon a position when once it was taken. The elements were so mingled in him of Saxon phlegm and Puritan seriousness as to interpose an almost insurmountable barrier to changes of opinion. One of his classmates recorded years afterward that "Sumner was not in the habit of changing his opinions or purposes. He adhered to them as long as he could. If he had an idea that

A and B stood the highest of any in the class, nothing could change his opinion, except their having the third or fourth part at the commencement." There went along with this mental immovability or inertia a certain dogmatism and finality of action. He was thus strongly held to an original bent or belief. Where, metaphorically, he sat down, it was safe to say that there he would ever afterward be found.

That enlargement of the *ego*, which seems to be an indispensable ingredient in the constitution of powerful personalities, kept pace from this period with the growth of the youth. Whatever else our young collegian may have lacked from the hand of Nature, he was assuredly not deficient in self-confidence and self-esteem. Humility was not one of his cardinal virtues. On the contrary, an unconcealed pride of self and consciousness of power formed the basis of his character. Here, in a sense, in later years resided the man's centre of gravity.

There are other characteristics which were found in the youth, which later were found in the man. There was no mystery as to how he should be classified. He was always and distinctly of the vertebrated breed of men. Man's crowning quality he possessed beyond the ordinary lot, ability to stand mentally and morally erect and alone. Strong was the Saxon passion for personal liberty in his veins. While a student, he dared to disregard a college regulation which infringed his individual right to determine the exact color of his waistcoat. He was admonished that a buff-colored waistcoat was not white, but Sumner contended that it was "white, or nearly enough so to comply with the rule." His insistence and persistence,

it is said, finally carried the point, and he continued to wear the waistcoat of his choice, the admonitions to the contrary notwithstanding. It was a case of color blindness with a vengeance. Sumner refused then to distinguish buff from white, as he refused subsequently to distinguish black from the self-same hue.

His will even then had the character of adamant. A resolution once formed by him was, humanly speaking, as sure of execution as that day would follow night. "If he appointed a certain evening to go into Boston," a classmate records, "he would go even in a violent snow-storm." And to go into Boston from Harvard square in those days under the circumstances, and before the age of horse-cars, on one's own two legs, was an altogether formidable achievement. Between a fixed purpose and its end he allowed no difficulties to daunt or deter him. The youth's will was dictator. If it said do this, it was done; go there, there he went. This received signal illustration the year after his graduation when he devoted himself to making up his deficiencies in a branch of knowledge for which he had literally no taste or talent. But by sheer strength of will he compelled himself to wrestle with the roots of algebra and the problems of geometry until Jacob-like he had wrested from them the blessing which comes from earnest struggle and self-sacrifice. He never became proficient in either, but the trial added, without doubt, to the muscularity of his faculties, moral and intellectual.

Although impatient of the narrowness and intolerance of the Puritans, he was, nevertheless, a true son of them in respect of the supremacy of the moral

sense. Their severe, uncompromising standard in matters of morality was his own. Right, duty, conscience, were from childhood with him not mere fine words but supreme realities. They could hardly be otherwise in the case of any child of Sheriff Sumner.

We are struck with other traits in studying the youth and early manhood of Charles Sumner, and they are his sociability and his sympathy. As a youth he was full of geniality, most companionable, notwithstanding his sedentary habits and devotion to books. He made friends—many and lasting were his friendships. He gave himself, the best in him, in large and overflowing helpfulness. Whether the object was a dying teacher, or a struggling scholar it made no difference. There gushed for all a like fullness and richness of friendly service. Ever ready he was to thrust his neck under some new yoke, to offer his back to some fresh burden, for friendship's sake. The possessor of sympathies, at once sensitive and virile, must needs exercise them as the seller of perfumes must needs scatter as he goes the fragrance of his wares. These traits when coupled with the force of conscience which was strong within him, pointed with no uncertainty to a life of usefulness, if not to a career of greatness.

Sumner was fortunate in his environment. The intellectual life of Boston sixty years ago was full of those notabilities and energies of the pulpit, the bar, politics, and scholarship, which have so often illustrated the city. Webster, then in the zenith of his fame and genius as statesman, orator, and jurist, was a familiar figure on its streets, a familiar voice in its courts, and on its platforms. Several times had Sumner heard him in the old town. And once, indeed,

the great man, as the president of the "Boston Society for the Diffusion of Useful Knowledge," had taken the young scholar by the hand, and assured him that "the public held a pledge of him." This was on the occasion of an essay of Sumner's on commerce taking the prize of that society on the evening of April 1, 1831.

There were besides in politics such leaders as John Quincy Adams and Harrison Gray Otis, at the bar such lights as Rufus Choate and Franklin Dexter, in the pulpit such orators as John Pierpont and Lyman Beecher, while that remarkable man, Josiah Quincy, was at the head of the scholarship of the old town as the president of the famous seat of learning just across the river. The atmosphere was full of literary and professional stimulus and ferment, charged, so to speak, with those fine potencies and activities which generate in communities great ambitions and aspirations, which create irrepressible desires and strivings for excellence and distinction through the whole human lump.

Thus equipped, and amid conditions and circumstances so tonic, stood Charles Sumner with the skeleton key, hard work in his hand, and the magic word "Excelsior" on his lips, those two instruments which have unlocked to many a youth, high-born and low-born, the portal of power and the gate to glory.

## CHAPTER II.

### PREPARATION AND PROGRESS.

EVERY time a great man comes on the stage of human affairs, the fable of Hercules repeats itself. He gets a sword from Mercury, a bow from Apollo, a breastplate from Vulcan, horses from Neptune, a robe from Minerva; *i. e.*, many streams from many sources bring to him their united strength. How otherwise would the great man be equal to his hour and task? This wonderful truth, sealed within the myth, found fresh manifestation in the life of Sumner.

The year after his graduation from Harvard College, viz., 1830-31, he spent at his home in the midst of books, which he continued to devour with increasing voracity. His truly extraordinary acquisitiveness sucked up the contents of books during the year as a huge sponge thrown into a tub of water sucks up the water. There was undoubtedly too much of the sponge-like absorption of the contents of books and not enough of proper digestion and assimilation of them, but on the whole the pabulum served fairly well to nourish the bone and muscle forming processes of his rapidly developing mind. And so the twelve months were not wasted, but added rather their contribution of acquisition and reflection to the great preparation.

The year was, however, not altogether a happy one for the young scholar. He needed appreciation, sympathy; but from his family he got neither. Not that they were wanting in natural affection. Not at all, but only in the expression of the real love and pride with which they regarded him. They were evidently a rather cold, undemonstrative household. This was, as regards the father, particularly true. His severe and sombre temper exerted, in all probability, a repressing and depressing influence upon his children, excluded too early and too much the sunshine from their young faces and hearts, and, in consequence, cut them off from those mutual and pretty confidences and intimacies, which are the charm of domestic life. Sumner, with his unusual development of the bump of approbateness, felt this lack of his family very keenly. He yearned for appreciation, for encouragement. To him, with his growing *ego*, these things were food and drink, their want was no light affliction. To one of his old college mates, Jonathan F. Stearns, he wrote: "I think of hitching upon the law at Cambridge this coming commencement. I am grateful for the encouraging word you give me. I am rather despondent, and I meet from none of my family those vivifying expressions which a young mind always heartily accepts. My father says naught by way of encouragement. He seems determined to let me shape my own course, that if I am wise I shall be wise for myself; and if I am foolish, I alone shall bear it."

This experience, painful as it was to Sumner, was, after all, not a bad thing to happen to the youth. It checked, kept within moderation the growth of the

*ego* which needed but the fallow soil of demonstrative family affection and hero-worship to cause it to shoot up and out beyond all true proportions to the rest of his faculties. The steady current of this family north wind snubbed the tendency to put forth too rapidly on the egoistic side of the son's character, and so preserved a proper balance of his forces. And this was of the utmost importance to him both in receiving and giving, especially just then in respect of the first of these functions. On contact and association with superior minds he was to obtain no insignificant share of his outfit for the great part, which later he was to play in the history of his country. At the end of these months at home this new source of incalculable influence was opened to the young man by the side of that full stream which was flowing into his mind from the Pierian spring of books. Thenceforth they were to carry to him in parallel channels knowledge and wisdom. The choice of a profession and his return to Cambridge may be said to mark the end of the first and rudimentary stage of Sumner's apprenticeship, and the beginning of its second and more serious term. The thoughts and feelings of boyhood were left altogether behind the young man, who became thereafter wholly taken up with the things that belong to manhood and to the estate of a scholar. The passion for labor, for excellence, burned with new ardor within him. In his scholarly enthusiasm time appeared to him as more precious than silver, and it seemed "that every moment, like a filing of gold, ought to be saved."

The ideal of the lawyer, which he hung up in his mind, was of the loftiest. "A lawyer must know

everything," wrote the young disciple of Blackstone to a friend. "He must know law, history, philosophy, human nature ; and, if he covets the fame of an advocate, he must drink of all the springs of literature, giving ease and elegance to the mind and illustration to whatever subject it touches." For the opposite of this noble ideal, the mere practitioner, he had thus early a seated loathing. "I had rather be a toad," said he, "and live upon a dungeon's vapor than one of those lumps of flesh that are christened lawyers, and who know only how to wring from quibbles and obscurities that justice, which else they never could reach ; who have no idea of law beyond its letter, nor of literature beyond their term reports and statutes. If I am a lawyer, I wish to be one who can dwell upon the vast heaps of law-matter, as the temple in which the majesty of right has taken its abode ; who will aim, beyond the mere letter, at the spirit—the broad spirit of the law—and who will bring to his aid a liberal and cultivated mind."

And, significantly enough, the moral and humane aspects of his chosen profession strongly attracted him to it from the start. It was not merely the lucre and the fame which it offered him, though they, of course, had their influence, especially the latter. But beyond and above the purely personal benefits which the law held for its votaries, he discovered another and nobler element, an altruistic good. The lawyer, if worthy of his high calling, was the custodian of social justice, the guardian of the sources of the rights of person and of property, the champion of civil and political liberty. According as he shapes his course he may be one of the best or

worst of men. He may be a fomenter of quarrels between man and man, or a healer of their dissensions. He, too, may be a real evangel, a proclaimer of peace and good-will on earth—may be the lawyer, as truly as ever minister of religion was. “For,” as our student reasoned, “religion exists independent of its ministers; every breast feels it; but the law lives only in the honesty and learning of lawyers.” He was keenly alive to the splendid opportunities which the legal profession presented to him of unselfish service to his kind, and almost, even then, exaltedly conscious of the corresponding responsibilities which they imposed upon him as a friend of man. His letters at this period are full of the ardor of the scholar and the moral glow of disinterested desire.

In his teachers, Judge Story, Professor Ashmun, and later Professor Greenleaf, he was fortunate, indeed. The relationship which almost immediately sprang up between him and each of these eminent men was one of mutual and intimate friendship, embracing at once the pride and affection of the master for a favorite pupil, and that pupil’s ardent admiration and devotion in return. Sumner’s industry and enthusiasm, his singleness of purpose and the breadth of his intelligence, were enough to attract to him the eyes of quite ordinary instructors. But his teachers were not ordinary masters of the law, and so these qualities of the disciple drew them to him as to a kindred spirit. The tie between them seemed half paternal, half fraternal. Sumner was a sort of professional son and heir to their chairs and learning, a kind of younger comrade and brother in their labors and achievements. The second of these professors

Sumner helped to nurse during his last sickness, and watched alone by his couch when he died. And it was he, the faithful disciple, who collected funds for a monument with which to mark the last resting place of the dead friend and master.

His privileges were great, but never did pupil value them more highly than did Sumner. With Judge Story his relations were peculiarly close. He was the jurist's correspondent when absent in Washington and on his circuit, keeping him the while in touch with the happenings of the university in general, and with those at the Law School in particular. Many were the kindly offices which the pupil performed for the master during these months when the duties of the Supreme Court engaged his presence elsewhere. Nothing could exceed the beauty of the friendship between the older and the younger man. The regard of the judge for Sumner was shared by his family. In it the favorite pupil was like an older son. And no son could indeed watch with livelier interest and satisfaction the growing fame of the great jurist, as judge and publicist. Between Sumner and the professor's son, William W. Story, then a mere slip of a boy, there sprang up an altogether charming friendship, a repetition in miniature of that between the father and Sumner.

That boy, since famous in art and literature, has preserved his recollections of his and his father's friend. They were written many years later, after the death of that friend in fact, but the years could not rob them of the freshness and grace of those green and fragrant days when he made the acquaintance of the tall, ungainly law-student whose

personality and conversation so fascinated him, that, in his own words, "When I heard that he was in the room, I quitted all occupations to see and hear him, though for the most part I only piayed the rôle of a listener." Many an evening he used to spend with Sumner at his room in the Dane Law School, reading Latin with him, and talking with him over the ancient authors. Sumner, with his erudition and enthusiasm, had the art to render these evenings most agreeable to the boy. "He talked of Cicero and Cæsar," William Story recalled forty years afterward; "of Horace, Virgil, Tacitus, Sallust, and indeed of all the old Latin writers ; of the influence they had on their age, and their age had on them ; of the characteristics of their poetry and prose ; of the peculiarities of their style ; of the differences between them and our modern authors ; and he so talked of them as to interest and amuse me, and bring them before me as real and living persons out of the dim, vague mist in which they had hitherto stood in my mind. We used then, also, to cap Latin verses; and he so roused my ambition not to be outdone by him, that I collected from various authors a book full of verses, all of which I committed to memory. Of course, he beat me always, for he had a facile and iron memory which easily seized and steadily retained everything he acquired."

This "facile and iron memory" was one of Sumner's principal endowments. It attracted the notice of the father as well as of the son. Judge Story remarked upon it and its characteristics at one of his Sunday evenings at the home of President Quincy. Said he, Sumner being the subject of conversa-

tion between those eminent men: "He has a wonderful memory; he keeps all his knowledge in order, and can put his hand on it in a moment. This is a great gift." It is undoubtedly a great gift, and it was to be of immense utility to its possessor in the leading rôle which later he was to enact on the stage of the Union.

At the home of President Quincy, in Cambridge, Sumner was a familiar and frequent visitor. Their friendship was lifelong, and it was Mrs. Quincy, who, probably among the very first, foresaw a future for him. A daughter, Mrs. Waterston, remembered long years afterward, "the tall, spare form and honest face of Charles Sumner" at her mother's Thursday evening receptions. In her journal she recorded her impressions of the young friend of her father. "This youth," she wrote, "though not in the least handsome, is so good-hearted, clever, and real, that it is impossible not to like him and believe in him." This seems to have been the universal opinion of his early friends. Serious he was but withal genial too, a capital talker, he was, at that period, a still more capital listener. Books he delighted in, but he delighted even more, if such a thing was possible, in intercourse with learned men. And as he valued and cherished his books, he valued and cherished not less his companionship with scholars and thinkers. Nothing could exceed the pious respect, nay, reverence even, with which he conducted himself toward his seniors, such as were President Quincy, Judge Story, and Professor Greenleaf, while toward his equals and his juniors in age he was the impersonation of kindness, simplicity, and manliness.

W. W. Story has preserved an amusing instance of the young law-student's absorption in the pursuit of knowledge and of his preference for the society of men over that of women. "Of all men I ever knew at his age," says Mr. Story, "he was the least susceptible to the charms of women. Men he liked best, and with them he preferred to talk. It was in vain for the loveliest and liveliest girl to seek to absorb his attention. He would at once desert the most blooming beauty to talk to the plainest of men. This was a constant source of amusement to us, and we used to lay wagers with the pretty girls, that with all their art they could not keep him at their side a quarter of an hour. Nor do I think we ever lost one of these bets. I remember particularly one dinner at my father's house, when it fell to his lot to take out a charming woman, so handsome and full of *esprit* that anyone at the table might well have envied him his position. She had determined to hold him captive, and win her bet against us. But her efforts were all in vain. Unfortunately, on his other side was a dry old *savant*, packed with information ; and within five minutes Sumner had completely turned his back on his fair companion, and engaged in a discussion with the other, which lasted the whole dinner. We all laughed. She cast up her eyes deprecatingly, acknowledged herself vanquished, and paid her bet. He had what he wanted—sensible men's talk. He had mined the *savant*, as he mined everyone he met, in search of ore, and was thoroughly pleased with what he got."

During the latter part of Sumner's law-studentship at Cambridge, he held the post of librarian of the Law

Library. It is said that so thoroughly and minutely did he know his domains, that he could put his hand on any volume in the dark. But his knowledge of them, it need hardly be added, was by no means limited to their location on the shelves. It extended to their contents and authorships as well. There was scarcely a text-book among them with which he did not have more than a superficial acquaintance. He could tell, besides, the manner of men who had written them. When he read a book he at once inquired after the man behind it—who had written it. He studied him, made him live and move before the mind's eye, then he appropriated him and his works to himself and his friends forever after. He obtained thus a sort of incorporeal hereditament and fee simple in the labor and learning of other lives.

During this period Sumner prepared a catalogue of the library, which by competent judges was considered excellent. Professor Story was especially well pleased with it, for it added, no doubt, not a little to the equipment and efficiency of the college as a place for study of the law. Amid incessant and excessive attention given to legal, classical, and literary readings and acquisitions, the young scholar began about this time to write for the *American Jurist*, a magazine devoted to juridical subjects and literature, and also for the *American Monthly Review*. His articles were learned, and "full of useful comment and research," to apply a phrase of Judge Story's in relation to one of them—to all of them. He found time also to compete for a Bowdoin prize, and to win it into the bargain. The contestants were limited to resident graduates, who were required to write on

the theme "Are the most important changes in society effected gradually or by violent revolutions?" Sumner's thesis adopted and enforced, by a wide historical view of Europe during the Middle Ages, the doctrine of social evolution or gradualism as the most potent factor in the production of important changes in modern civil society. Nevertheless he perceives the sublime utility of violent revolutions at emergent moments in the progress of humanity, and quotes John Milton, himself a revolutionist, in justification of them: "For surely, to every good and peaceable citizen, it must in nature needs be a hateful thing to be the displeaser and molester of thousands. But when God commands to take the trumpet and blow a dolorous or a jarring blast, it lies not in man's will what he shall say or what he shall conceal." The evident admiration of the essayist for this stern sentiment of the great English reformer was one of those "coming events" which are reputed to cast their shadows before. Should God ever command him "to take the trumpet and blow a dolorous or a jarring blast," it is clear that like his Puritan kin across the sea, he would elect to obey God rather than men. Reading between the lines, we catch the high thought of the young scholar in respect of the part he meant to play, if it should please God to cast his lot amid similar circumstances. About this time he took a lively and practical interest in temperance reform, and, when in March, 1833, a society was organized in the University, he was chosen its first president. "A peculiar life-and-death earnestness," says Rev. A. A. Livermore, the first vice-president of the society, "characterized even then all that Sumner did and said."

And Rev. Samuel Osgood, its first secretary, recalls that "He had great strength of conviction on ethical subjects and decided religious principle; yet he was little theological, much less ecclesiastical." This description of the religious attitude of the young scholar finds confirmation in one of his private letters, written in January, 1833, to his friend, Jonathan F. Stearns, "I am without religious feeling," he frankly confesses, and goes on with his self-revelation in this wise: "I seldom refer my happiness or acquisitions to the Great Father from whose mercy they are derived. Of the first great commandment, then, upon which so much hangs, I live in perpetual unconsciousness—I will not say disregard, for that, perhaps, would imply that it was present in my mind. I believe, though, that my love to my neighbor, namely, my anxiety that my fellow-creatures should be happy, and disposition to serve them in their honest endeavors, is pure and strong. Certainly, I do feel an affection for everything that God created; *and this feeling is my religion.*"

At the end of the year 1833, Sumner graduated from the Dane Law School, and entered forthwith the office of Benjamin Rand in Boston to obtain a practical knowledge of procedure in the courts. This knowledge was necessary to his complete equipment for the career of a lawyer, which he was strongly desirous of pursuing. Nothing less than a sense of its necessity could have separated him at the time from the law school, which was growing fast and far in favor and fame, under the brilliant professional management of his friends and masters, Story and Greenleaf. The college in the autumn of 1833 numbered upwards of

fifty students, which was probably at that date the largest collection of young men who had ever gathered in one place in America for the study of the law. With the continued increase of students there would presently come an addition to the teaching force of the school. Professor Story counted quite confidently on an early reinforcement of his own and Professor Greenleaf's labors in this regard, and with no less confidence on the return then of Sumner to the school as the new colleague. Indeed, so large a void was created in Cambridge by the absence of the young scholar that Judge Story urged him, a few months after he had left for the law office in Boston, to return to the school as an associate instructor therein. But Sumner was too firmly joined to his ambition for a forensic career to surrender it even to oblige the judge, or for the sake of enjoying academic honors and pursuits, dearly as he loved both. And so the offer was declined.

His refusal to return to Cambridge was not, under the circumstances, surprising. For he was, as all students of the law are apt to be, fascinated by the struggles and triumphs of the forum, and desirous of following in the steps of the great advocates. Sumner naturally enough had his illusions in respect of his fitness for sustaining such a rôle—illusions which nothing less hard than experience was equal to breaking. But whoever undertakes to practice law will find that in whatever else he may be lacking it will not be in experience. Clients may fail, but experience will never—experience of an altogether disillusioning sort, as multitudes of young aspirants for the mantles of Erskine and Choate learn them every year at the bar.

Sumner however, even in the neophyte state, was not without misgivings as to whether he possessed the qualifications indispensable to the successful practitioner in the rough and tumble of the arena of courts. His old classmate, John W. Browne, himself a lawyer, had not any doubt of Sumner's deficiency in the qualities essential to success in "harsh, everyday practice." "You are not rough-shod enough," Brown wrote him, "to travel in the stony and broken road of homely, harsh, everyday practice." He did not think that Sumner was fashioned for that kind of life either by the hand of nature or in the school of experience. He had indeed lived among books, and away from all except one class of mind. He knew books, but next to nothing of men, *i.e.*, the sort of men who do business before courts. Brown justly observed that all Sumner's inclinations and habits set him on "with a strong tendency toward a green eminence of fame and emolument" in his profession, "but you are not destined to reach it," he added sagely, "by traveling through the ordinary business of a young lawyer in the courts." He, therefore, urged Sumner to fall in with the offer of Judge Story, and return to Cambridge. But Sumner, as we have already seen, was of another mind, and he accordingly persevered in his purpose to enter upon the "harsh, everyday practice" of his profession, the invitation of Judge Story, and the counsel of Brown to the contrary notwithstanding.

Sumner was always for going to the fountain-head for any knowledge which he wanted. And as he was now acquainting himself with legal procedure and the conduct of causes, he turned to the Su-

preme Court at Washington, as to a peculiarly fit place to pursue his studies. So, in the winter of 1834, only a few weeks after his graduation from the Law School at Cambridge, he betook himself off to the national capitol. He went armed cap-a-pie with letters introducing him to various distinguished people in New York and Philadelphia, and with his eyes wide open to what there was to see and learn by the way. The journey in those days from Boston to Washington was made almost wholly in coaches and steamboats, for, be it remembered, that, in 1834 the railroad era was but just beginning. The novelty of the new motor power of transportation by steam, when Sumner made his visit to Washington, produced the most agreeable sensations of surprise and wonder in the minds of travelers, accustomed to the old means of locomotion by wind and horses. "There is something partaking of the sublime," wrote Sumner to a fourteen-year-old sister, "in the sense that you are going at the rate of fifteen miles an hour, drawn by an insensible agent, the contrivance of man, who has "sought out many inventions"; enjoying, if you are in a boat, all the comforts and luxuries of the finest hotel, walking over carpets or sitting at a table loaded with all the products of the season; or, if in a railroad car, enjoying at least a comfortable and easy seat, from which you may see the country over which you are flying as a bird."

At New York, our traveler visited Chancellor Kent, whose conversation he found "lively and instructive, but grossly ungrammatical." In Philadelphia, he renewed an old acquaintance with Mr. Richard Peters, the official reporter of the decisions of the

Supreme Court, and was received into the family of that gentleman on most cordial and intimate terms. To a daughter of Mr. Peters this generation of readers is indebted for a graphic sketch of our hero as he appeared then. "When he came to Philadelphia in 1834," she says, "he had finished his course at the Law School, I think, but had almost put his eyes out with hard study, and was forced to come away for rest. He was then a great, tall, lank creature, quite heedless of the form and fashion of his garb, unsophisticated, everybody said, and oblivious of the propriety of wearing a hat in a city, going about in a rather shabby fur cap; but the fastidiousness of fashionable ladies was utterly routed by the wonderful charm of his conversation, and he was carried about triumphantly, and introduced to all the distinguished people, young and old, who then made Philadelphia society so brilliant. No amount of honeying, however, could then affect him. His simplicity, his perfect *naturalness*, was what struck everyone, combined with his rare culture, and his delicious youthful enthusiasm."

Here is an instance of his "delicious youthful enthusiasm" for an object other than knowledge. The picture is done by the same hand, and belongs to the time of that first visit to Philadelphia: "He was almost beside himself then over Fanny Kemble's acting; used to walk, he said, that winter to and from Boston, through snow and storm, to see her act. One of my sisters had a singular ability in imitating this gifted woman's acting and reading, and it was Charles Sumner's delight to insist on this rather shy lady's performing for him. His exclamation was, 'By

George, that's fine ! By George, that's fine, Miss S.! give it to us again ; now, Miss S.! The 'Do it' point,—the 'Do it' point (from Sheridan Knowles's 'Hunchback'). And striking his great hands together and heaving them about like Dominie Sampson, and striding up and down the room, he would keep repeating, 'By George, that's fine !'"

At Washington the young jurist obtained his soul's desire, viz., an opportunity of drinking at the national fountain-head of jurisprudence whence were flowing the living waters of the law of a new country. Over the Supreme Court John Marshall, the great Chief Justice, still presided, and by his side and second only to him in the judiciary of the land, sat Sumner's master, Joseph Story, one of the most learned jurists of the age, and there also sat McLean, who was subsequently to prove that, unseduced by circumstances and unawed by power, he was in independence and courage, a lineal descendant of the brave and liberty-loving judges of glorious old England. At its bar was gathered annually the flower of the forum of all the States, from that big-brained, deep-throated mastiff of litigious suitors, Webster himself, through the variedly and splendidly gifted and equipped forensic leaders of the times, who with the erudite and illustrious judges who sat on the bench made the Supreme Court then the Mecca of the American student of the law.

Sumner's intimacy with Judge Story gave him almost "a place in the Court," where for a month he pitched his tent during several hours of each day. The judges he came to know quite well within and without the court. In 1834, they all put up at the

same boarding-house where Sumner was a nightly visitor. Judge Marshall he found "a model of simplicity . . . naturally taciturn, and yet ready to laugh, to joke, and to be joked with." Within the bar Sumner saw a degree of negligence in the preparation of their cases by eminent counsel that made anything but an edifying spectacle for either gods, or law-students. To Professor Greenleaf he wrote of an instance of this character, in which figured Francis Scott Key, author of "The Star-Spangled Banner," Walter Jones, and Daniel Webster. But here is Sumner's relation of the incident on the spot: "Key has not prepared himself, and now speaks from his preparation on the trial below, relying upon a quickness and facility of language rather than upon research. Walter Jones—a man of acknowledged powers in the law, unsurpassed, if not unequaled, by any lawyer in the country—is in the same plight. He is now conning his papers and maturing his points—a labor which, of course, he should have gone through before he entered the court-room. And *our* Webster fills up the remiss triumvirate. He, like Jones, is doing the labor in court which should have been done out of court. In fact, politics have entirely swamped his whole time and talents. All here declare that he has neglected his cases this term in a remarkable manner. It is now whispered in the room that he has not looked at the present case, though the amount at stake is estimated at half a million of dollars." Nor was this, alas! the only example of that great man's capacity for neglecting the interests of his clients, of leaving undone the things, which, as their retained attorney, he ought to have

done, witnessed by Sumner during his stay at Washington.

Politics had, indeed, during the then session of Congress, swamped all of Webster's time and talents. And no wonder. For politics during those months, and, in fact, ever since the election of Jackson, were of an altogether unusual and engrossing character. Perhaps never in the history of the republic has party excitement run higher than it did at this period. The removal of the treasury deposits from Mr. Nicholas Biddle's Bank of the United States by an executive order was, at the date of Sumner's visit to the Federal capital, the occasion of most extraordinary demonstrations against the President. Philippic followed philippic against the determined old man, at whose head his political opponents were pleased to shy such epithets as "tyrant," "usurper," and other ridiculously extravagant appellations, all tending to advertise him as a sort of American Cæsar or Bonaparte, bent on subverting the liberties of the Union, and at the same time to arouse against him such a storm of popular feeling as to blow him and his party clean out of the government, and to blow the aforesaid political opponents and their parties into possession of it. And so Sumner found those Neptunes of the political deep, Webster, Calhoun, and Clay, busy beating with their senatorial tridents the yeasty sea of national politics into waves and billows for the sake of whelming the beforementioned "usurper and tyrant" who, by the way, when Sumner saw him, "appeared very infirm . . . to have hardly nerve enough to keep his bones together." Nevertheless, it is plain enough that the young scholar's sympathies

were wholly against "the old tyrant," and with his enemies, to whose attacks in the Senate he listened eagerly, and from one of whom at least he was the recipient of marked attention. This one was no other than Webster himself, who introduced his young townsman to the floor of the Senate, giving him a card, which enabled him at all times to gain access to the floor. Webster little dreamed that that young townsman of his was in the space of eighteen years to succeed him on that floor, and impossible it was for Sumner to foresee the imposing part which he was to play as that great man's successor in that body.

During these visits to the Senate, Sumner had not only the good fortune to hear Webster, but Calhoun and Clay as well, the second of whom he describes as "no orator, very rugged in his language, unstudied in style, marching directly to the main points of his subject without stopping for parley or introduction." Clay's "eloquence was splendid and thrilling," he wrote home. "There was not one there whose blood did not flow quickly," goes on our Bostonian, "and pulse throb quickly as he listened. . . . His language, without being choice, is strong; but it is his *manner*, or what Demosthenes called *action—action—ACTION*—which makes him so powerful."

Sumner did not think that he would ever revisit Washington. "I have little or no desire," he wrote his father, "ever to come again in any capacity. Nothing that I have seen of politics has made me look upon them with any feeling other than loathing. The more I see of them, the more I love law, which, I feel, will give me an honorable livelihood."

It was on the way between Baltimore and Washington that he had his first glimpse of the barbarism of slavery—the actual, unadulterated article—and of its mildew effects upon the people and section where it existed. “The whole country,” he wrote his parents, “was barren and cheerless; houses were sprinkled very thinly on the road, and when they did appear they were little better than hovels—mere log-huts, which father will remember, though none else of the family may be able to conceive them. For the first time I saw slaves, and my worst preconception of their appearance and ignorance did not fall as low as their actual stupidity. They appear to be nothing more than moving masses of flesh, unendowed with anything of intelligence above the brutes. I have now an idea of the blight upon that part of our country in which they live.” That idea was never to be erased from the tablet of his mind, nor was that first frightful glance down into the depths of the slave system ever to be forgotten by him.

It will not fail to be noted by the reader that in this first impression of slavery in the concrete on the part of Sumner, it was its political rather than its moral aspect which attracted his attention, and excited his strong repulsion. In other words it was the patriot not the philanthropist who animadverted on the degradation and ruin with which Southern slavery had doomed the Southern half of the Union. The active love of country preceded in the bosom of the young scholar the active love of man. First the blade, then the ear, then the full corn in the ear is the law of spiritual as well as of vegetable development. First family, then country, then humanity

are the upward steps in the ethical progress and unfolding of the soul of man. Sumner's feet were in this royal road, and his earnest mind was turned truly Zionward, humanity-ward.

In September of 1834, the young attorney was admitted to the bar, and began at once to practice law, appearing in his first case, which was a criminal action, but a few weeks after his admission. He and George S. Hillard, his associate, successfully defended the accused, who was indicted for an attempt to violate the law for the prevention of duelling in Massachusetts.

In November, he and Hillard formed a partnership for the practice of the law and opened chambers on Court street in Boston. There, if the partners did not get all the legal business which they could attend to, they succeeded fairly well in that line. But if troops of clients did not find their way to those rooms, troops of friends did. And what friends they were! They were in fact no small part of Sumner's education. Among those who dropped in on the young lawyers were men already famous in law, letters, and politics, or who were destined to achieve fame in them all. There were Judge Story, and Professor Greenleaf, and C. C. Felton, the future president of Harvard University, and George Bancroft, the future historian of the United States, and Horace Mann, the future reformer and benefactor of his species, and Edward Greely Loring, who, too, was some day to be talked about, though not exactly in the way of some of the others, of Horace Mann for instance. These and other choice spirits not named formed a goodly company of earnest, aspiring minds,

the *crème de la crème*, so to speak, of the culture and character of the old town.

Besides this larger circle of friends, there was later an inner and limited one of elect companions. They were called the "Five of Clubs," and consisted of Henry W. Longfellow, C. C. Felton, Henry R. Cleveland, and of Hillard and Sumner, who was the youngest of the five scholars, who together made excursions over almost the whole field of human knowledge, and sat in judgment upon each other's writings as well. The goodly fellowship of such minds was in itself a liberal education. Such contact of intellect with intellect keeps all the faculties alert and in exercise, acts as a steady tonic upon them, develops a muscularity and robustness of the moral and intellectual life, that no other one agency can perform quite as well. It was of great value to the brilliant young scholars who together formed the "Five of Clubs," but to Sumner, with his omnivorous appetite for books, and his enormous powers of acquisitiveness, the "Five of Clubs" must have been of inestimable value, by strengthening his mental powers of digestion and assimilation of the vast amount of matter which he was constantly taking into the stomach of his intellect, if I may be allowed to use the expression. It gave him probably a mastery over the immense stores of his acquisitions, which he could not well have acquired, or at least so effectively, in any other way. It taught him to know himself, to gauge his relative strength, to measure his relative height in a company of equals. He, with the great work which the future held waiting for him to do, needed to know himself, to trust himself, to test himself, to

learn to lean without a doubt upon himself through good report and evil. And what better preparation can one have for this self-faith, for a simple virile reliance upon the might of one's very self than a knowledge of that self, such a knowledge as a powerful mind must always obtain, when thrown into frank critical, earnest, and intimate association with its equals?

If the young attorney's clients did not occupy all of his time, his time was, nevertheless, wholly occupied to the last inch of it by other duties. In January, 1835, he began to fill Judge Story's place at the Law School during his attendance upon the sessions of the Supreme Court at Washington. Sumner's success in his new rôle of instructor in law, was, according to Professor Greenleaf, in every way complete and gratifying. Judge Story wrote him from the capital : "I hope that this is but the beginning, and that one day you may fill the chair which he [Prof. Greenleaf] or I occupy, if he or I, like autocrats, can hope to appoint our successors." A little later in the same year, Judge Story evinced still further his high estimate of his pupil's ability and learning by appointing him the reporter of his Circuit Court opinions. Three volumes of Judge Story's opinions were subsequently published by Sumner, the first of them appeared in 1836, the second in 1837, and the third in 1841. The Judge honored Sumner by a third appointment in 1835, viz., with a commissionership of the Circuit Court of the United States, an office which was to be resigned by the appointee many years afterward when it conflicted with his duties as a man. But we are anticipating.

Besides labor of the above description Sumner did no inconsiderable amount of editorial and special magazine work on the *American Jurist*, of which he, and Hillard, and Luther S. Cushing became editors in April, 1836. The character of the numerous articles which appeared from his pen in the *Jurist* during this period, shows quite clearly the literary bias of Sumner's tastes, "which led him to write upon authors, books, and libraries," remarks Mr. Edward L. Pierce in his "Memoir and Letters of Charles Sumner," "rather than upon the law itself." In addition to his magazine work he assisted Professor Greenleaf in the preparation of the general digest of his "Reports of the Decisions of the Supreme Court of Maine," and Mr. Andrew Dunlap in the final revision of his "Admiralty Practice."

There is one thing of which we may be sure, that in all of Sumner's editorial and magazine work *money* was the last consideration thought of by him. He looked for his principal remuneration to the knowledge of the law which he would obtain through the doing of all this work. When he read law for an article or as a collaborator of legal treatises, etc., he perceived that such readings were altogether different matters from other readings which had no purpose and end in view except the mere getting of information. He has expressed his own sentiment on this point in a letter to a young lawyer whom he had recommended as a fit person for editing a new edition of the "Pickering Reports" of Massachusetts. To Mr. J. C. Perkins he wrote: "Don't regard the *money* as the pay. It is the knowledge you will get—the stimulus under which your mind will act when

you feel that you are reading law for a *purpose* and an *end* other than the bare getting of information—every spur and ambition exciting you; depend upon it, no engraver will trace the law on your mind in such deep characters. . . . If I auger right, the six weeks in which I think you will accomplish it, will be the most productive of your whole life. In them you will feel more palpably your progress than ever before in the same amount of time." Actuated by such a scholarly passion for knowledge, it was a foregone conclusion that every piece of work to which Sumner put his hands during these first years after his admission to the bar should react upon his faculties as an educator, should constitute a part of the great preparation, which, all unconsciously, he was making for future eminence and usefulness to mankind.

Writing to the same gentleman a little later touching the same subject matter, Sumner recurs to the item of the mere *money* consideration of the engagement as compared with other less material advantages which would thereby inure to his friend. Says Sumner: "I still feel that the *money* will be the least advantage that you will reap. The practice, the self-confidence (without which, if properly tempered by modesty, nothing great can be done), the habit of looking up cases and of looking down upon the opinions of judges, and the wide and various learning . . . will be worth more to you than a governmental office." Sumner by no means despised money; but, on the contrary, fully recognized its utility in the pursuit of knowledge. As an instrument it was greatly to be desired, and was indeed greatly desired by him; but money as an end he did not want, considered it, as

such, not worth the striving for. And when it lowered a student's aims, or lessened his industry, its possession was no more nor less than the possession of an evil spirit, which required exorcism in the interest of the higher life of scholarship. To his friend Francis Lieber, he wrote: "You are one of the few men whom I wish to see with a fortune, because I believe you would *use* it as one who has God's stamp should. It will be only a *novum organon* for higher exertion. You love labor so lovingly, and drive it with such effect, that I would risk you with Crœsus's treasury." Not all the pleasures and splendors which the devil of material wealth spread out before Sumner was able to tempt him, the young scholar of twenty-four, by so much as a single thought or act into apostacy from the simple and grand ideal of the seeker after knowledge, the lover of truth.

A strong and interesting friendship sprang up between Sumner and Lieber, a man of encyclopedic range of mind, and of an extraordinary capacity for literary labor, and for turning out in the likeness and form of a new book whatever came to his mill. Sumner was a man after his own heart, who could be depended upon to keep the hopper of the great German replenished with bulging sacks of corn. Upon the young scholar Dr. Lieber made constant requisitions during the preparation of his books, and these draughts were honored in turn with a promptness and completeness which left nothing to be desired in the way of the information wanted. Sumner never tired of serving his friend, now it was one thing, now another—was always seeking, in fact—to advance Dr. Lieber's fame and fortune. Here

is the way the *savant* looked upon the aid and comfort rendered him by the young Boston scholar. "Let me thank you, my dear friend, most heartily," he wrote Sumner in 1837, "for your kind addition of stock to my work in your last. The interest I see you take in my book cheers me much. Contribute more and more. It will all be thankfully received; only I am afraid I shall be embarrassed how to use it. I cannot all the time say, 'contributed by a friend,' and yet I do not want to plume myself with your feathers . . . and, my dear fellow, if it were not asking too much, I would beg you to grant me a pigeon-hole in your mind while abroad; say, if you would, a memorandum book with this title: 'All sorts of stuff for Lieber.'" Sumner was amply compensated for such services in his contact and correspondence with a scholar of so vast a range of knowledge and of such productive energies, as was Francis Lieber. But even more highly than the good which he derived from association with a first-rate mind must be estimated the reading "for a purpose and an *end* other than the bare getting of information," which the demands of Dr. Lieber must have more or less entailed upon him.

To this early period must, probably, be referred the beginnings of Sumner's interest in the Peace question. His friendship with Dr. Channing, which dates from the same period, had, it is not altogether unlikely, some influence in turning his attention to that subject. At any rate, we know that in April, 1835, interest in the Peace question was taking root in his mind. Writing to Dr. Lieber, touching several of the doctor's productions, Sumner speaks

particularly of "The Stranger in America," adding : "I think the Peace Society could do nothing better than reprint your chapter on Waterloo as a tract, or, at least, as an article in one of their journals. It gives the most vivid sketch I ever read of the horrors of war, because it embodies them in the experience of one individual, without resorting to any of the declamatory generalities which are generally used with that view." A little later, in the summer of the same year, Sumner recurs to the subject to express his determination to have the doctor's sketch of the Battle of Waterloo published as a *peace* tract or as an essay in some journal of the Peace Society, and his intention to write an introduction in connection with it.

During this same period Sumner began to take a lively interest in another reform. It was, probably, directly after the great mob in 1835, by which Garrison was dragged through the streets of Boston and nearly lost his life, that the young scholar began to read the *Liberator*. The excesses of the friends of slavery disgusted him, excited his hot indignation. Besides, too, the slave tyranny had struck him at home in the person of his father, who came near losing his office, the reader will recall, owing to a pro-slavery outburst against him in the city for alleged negligence in the case of the two slave women referred to in the first chapter of this book. The assault upon Mr. Sewall by a slaveholder for the part taken by him in the rescue of the fugitives aroused Sumner's ire to an intense degree, as is evinced by a postscript to a letter of his from Montreal to George S. Hillard in the autumn of 1836. "How my blood boils,"

runs the postscript, "at the indignity to S. E. Sewall!"

To his friend, Dr. Lieber, who was then domiciled in Columbia, S. C., Sumner had written as early as January, 1836: "You are in the midst of slavery, seated among its whirling eddies blown round as they are by the blasts of Governor McDuffie, fiercer than any from the old wind-bags of *Æolus*. What think you of it? Should it longer exist? Is not emancipation practicable? We are becoming Abolitionists at the North fast; the riots, the attempts to abridge the freedom of discussion, Governor McDuffie's message, and the conduct of the South generally have caused many to think favorably of immediate emancipation who never before inclined to it." In sooth, Hercules is beginning to scent the Lernæan hydra from afar.

## CHAPTER III.

### HERCULES IN THE NEMEAN FOREST.

ONE December evening nearly sixty years ago there might have been seen in New York a young Bostonian of the most striking appearance. A hero he seemed in height, though hardly a hero in proportions. Thin and long drawn out he was—a straight line set on straight lines, and endowed with marvelous length of limbs and prodigious powers of locomotion. The appositeness of that bit of Biblical humor of the Lord's taking no pleasure in the legs of a man, would have quickly occurred to the mind of an irreverent wit. For certainly the ambulatory appendages of the young gentleman were deficient in grace and comeliness. Yet laugh would neither your irreverent wit nor would we. For there was, withal, so much of eagerness, energy, enthusiasm, expressed and flung off, as it were, by the flying figure that both he and we must have instantly forgotten the subject of its proportions in the higher one of its personality.

And had we tracked him to his rooms, our curiosity would have been further piqued by these additional points: an ample and shapely mouth, gleaming with large white teeth, dark, masterful eyes, a nose long and regular, a brow broad and lofty, and a head of

uncommon size covered with masses of thick, brown hair. We would have been struck in the *tout ensemble* of figure and face by that sort of immature strength and splendor which distinguishes a growing mastiff. And well we might, for he, the original, belonged to that superb breed of human watch-dogs, who appear at intervals, in the history of mankind, to stand ward and watch over their rights. It was Charles Sumner at the age of twenty-six, and on the eve of his first visit to Europe in 1837.

This visit to Europe was in Sumner's life no ordinary event but was meant to add the finishing touches to his great preparation. When rallied as young men are wont to be on the subject of matrimony, he used to reply. "I am married to *Europa*." And it was so, indeed, for until he had satisfied the desire of his soul by going abroad for study, he had no superfluous devotion to lay at the feet of any other passion or attraction. Perhaps a few extracts from his letters will serve to exhibit the ardor and strength of his desire in this regard, and also the uses to which he meant to convert his visit abroad.

Writing to a friend, acknowledging the receipt of a foreign letter sent to him for perusal by that friend, Sumner expresses himself in this wise: "I am always delighted—it amounts almost to a monomania in me—to see any such missive from abroad, or to hear personal, literary, or legal news about the distinguished men of whom I read." Two years later, in the summer of 1837, thus to Dr. Lieber: "The thought of Europe fills me with the most tumultuous emotions; there, it seems, my heart is garnered up. I feel, when I commune with myself about it, as wher-

dwelling on the countenance and voice of a lovely girl. I am in love with *Europa*." And a few months later to the same: "I shall remember you at every step of my journey, and in your dear fatherland shall especially call you to my mind. Oh, that I spoke your tongue! . . . I shall write you in German from Germany. There, on the spot, with the mighty genius of your language hovering over me, I will master it. To that my nights and days must be devoted. The spirits of Goethe, and Richter, and Luther, will cry in my ears, 'trumpet-tongued.' I would give Golconda, or Potosi, or all Mexico, if I had them, for your German tongue." And later still this: "To-morrow I embark for Havre, and I assure you it is with a palpitating heart that I think of it. Hope and joyous anticipations send a thrill through me; but a deep anxiety and sense of the importance of the step check the thrill of pleasure. I need say nothing to you, I believe, in justification of my course, as you enter with lively feelings into my ambition and desires. Believe me, that I know my position and duties; and though I trust Europe may improve, and return me to my own dear country with a more thorough education and a higher standard of ambition and life, yet it cannot destroy any simplicity of character which I possess, or divert me from the duties of the world." To Professor Greenleaf from the Astor House on the eve of his departure he writes: "It is no slight affair to break away from the business which is to give me my daily bread, and pass across the sea to untried countries, usages, and languages. And I feel now pressing with a mountain's weight the responsibility of my step. But I go

abroad with the purest determination to devote myself to self-improvement from the various sources of study, observation, and society, and to return an *American*." And to Hillard the next day: "We have left the wharf, and with a steamer by our side. A smacking breeze has sprung up, and we shall part this company soon ; and then for the Atlantic ! Farewell, then, my friends, my pursuits, my home, my country ! Each bellying wave on its rough crest carries me away. The rocking vessel impedes my pen. And now, as my head begins slightly to reel, my imagination entertains the glorious prospects before me—the time-honored rites and edifices of the Old World, her world-renowned men, her institutions handed down from distant generations, and her various languages replete with learning and genius. These may I enjoy in the spirit that becomes a Christian and an American."

When the plan of this visit was forming in his mind, he took counsel with his friends, Judge Story, Professor Greenleaf, and President Quincy, who were not at all well affected to it. The two first feared that it would wean him from his profession, the latter that Europe would spoil him, send him back with a mustache and a walking-stick ! Certainly the step was an extraordinary one for a young lawyer to take, and would require extraordinary reasons to justify it, of all of which Sumner was, as the time for his departure drew nigh, gravely and even painfully conscious. But we will let him present his own case to the reader, its pros and cons, just as he entered them in his journal on Christmas Day while still at sea. He has been reviewing his last day on shore, how he

dined with this friend and called on another, how he busied himself with parting words to other friends far into the watches of that last night, and continues thus: "And a sad time it was, full of anxious thoughts and doubts, with mingled gleams of glorious anticipations. I thought much of the position which I abandoned for the present; the competent income which I forsook; the foaming tide, whose buoyant waters were bearing me so well, which I refused to take even at its ebb—these I thought of, and then the advice and warnings of many whose opinions I respect. The dear friends I was to leave behind, all came rushing before me, and affection for them was a new element in the cup of my anxieties. But, on the other hand, the dreams of my boyhood came before me; the long-pondered visions, first suggested by my early studies, and receiving new additions with every step of my progress; my desire, which has long been above all other desires, to visit Europe; and my long-cherished anticipations of the most intellectual pleasure and the most permanent profit. Europe and its reverend history, its ancient races, its governments handed down from all time, its sights memorable in story; above all, its present existing institutions, laws, and society, and its men of note and mind, followed in the train, and the thought of all these reassured my spirit. In going abroad at my present age, and situated as I am, I feel that I take a bold, almost a rash step. One should not easily believe that he can throw off his clients and then whistle them back, 'as a huntsman does his pack.' But I go for purposes of education, and to gratify longings which prey upon

my mind and time. Certainly, I never could be content to mingle in the business of my profession, with that devotion which is necessary to the highest success, until I had visited Europe. The course which my studies have taken has also made it highly desirable that I should have the advantage derived from a knowledge of the European languages, particularly French and German, and also a moderate acquaintance with the laws and institutions of the Old World, more at least than I can easily gain at home. In my pursuits lately, I have felt the want of this knowledge, both of the languages, particularly German, and of the Continental jurisprudence. I believe, then, that by leaving my profession now, I make a present sacrifice for a future gain; that I shall return with increased abilities for doing good, and acting well my part in life."

The fears of Sumner's friends were vain. Ah! how little did they, the noblest of them, comprehend him or his future; how little, in truth, did he comprehend himself and the destiny which futurity had in keeping for him; how impossible for him or them to foresee that this visit abroad was but to complete his apprenticeship, to finish the great preparation. To revert to the Greek fable, it was like Hercules going into the Nemean Forest to cut himself a club. The Nemean Forest, into which Sumner was now plunging, was Europe with its old societies, laws, languages, literatures, races; and the club with which he was to arm himself for the Herculean labors of his ripened faculties was enlarged human sympathies, a wider, deeper knowledge of man.

It was an audacious boast of Guizot that France is

the centre, the focus of European civilization, the leader of European progress. "There is not a single great idea, not a single great principle of civilization," says this celebrated historian, "which, in order to become universally spread, has not first passed through France." If this is so, and as a general proposition I see no reason to question its soundness, then Paris, which is the centre and focus of French life, is the place of all others to enter upon the study of European life. And to Paris the young American scholar, accordingly, betook him at once for the accomplishment of his purpose.

But of what value to him was a residence in the French metropolis without the use of the French language. It was the clew to the human labyrinth into which he had plunged, and he had it not. To know French with the eye was one thing, to know it with the ear and the tongue quite another thing. He found himself, in respect of the latter knowledge, as helpless as a child just beginning to talk. But with characteristic thoroughness and self-denial he attacked this difficulty. He studied French by day and he studied it by night. He studied it first under one teacher, and then under two teachers. He studied it at his meals, taking good care so to surround himself, that he had need to make constant attempts to get his tongue acquainted with the language, in order to express his wants, and to accustom his ears to it, in order to place himself in communication with the minds about him. Among other means used by him to this end were the theatres which he frequented. Here, with copies of the plays before him, he followed the players with eye and ear, learn-

ing in this way to blend form with sound, to listen with the sense of sight and to see with the sense of hearing. The lectures of the famous schools he made to serve his purpose in this regard also.

Of course, he blundered like any beginner. And his errors were amusing enough at times. Here is a case in point. He has called on Fœlix, the distinguished editor of the *Revue Etrangère*, and a French admirer of Judge Story. "On being shown into the room of the learned pundit," writes Sumner, "I summoned all my French, and asked, '*Est ce Monsieur Fœlix, que j'ai l'honneur de voir?*' to which he replied in the affirmative. I then said, '*Je m'appelle Charles Sumner.*' His reply convinced me that I had pronounced my French so badly that he did not understand me, for he inquired if I had seen Mr. Sumner lately. Then ensued a series of *contrestemps*. He did not speak a word of English; and my French was no more fit for use than a rusty gun-barrel, or than the law of a retired barrister. Then came to our assistance his sister. . . . She knew English so as to speak it pretty well, though rather painfully." With her, as interpreter, he made himself known to his host, whose ignorance of English, and Sumner's of French, made intercourse for the time being between them better 'honored in the breach than in the observance.'

A week later, however, he dined with M. Fœlix, when being appealed to with regard to the Constitution of the United States, etc., the young American threw himself upon his little knowledge of French to learn that his labor was not in vain. "I felt conscious of continual blunders," he records afterward in his journal; "but I also felt that I was under-

stood, so that I was making language serve its principal purpose, namely, to convey thought. I often spoke little better than gibberish, but still I spoke on. This was a triumph to me, and I began to feel, for the first time, that I was gradually acquiring the language." French was an indispensable instrument in the prosecution of his studies, and to its acquisition he bent his first two months in Paris and all the concentration of his energies. Never was his industry greater, and never, perhaps, was it more fruitful.

The first time that he attended a lecture at the *Ecole de Droit*, he was unable to understand a single sentence. But in less than three weeks afterward, so successfully had they been employed, that he was able to follow the lecturer through the largest portion of his lecture. In six weeks he was able to converse in the language, and at the expiration of three months was competent to assume the rôle of interpreter in judicial proceedings in which a compatriot figured.

During this period, while struggling with the French tongue, he was making daily accretions to the stores of his knowledge in the famous schools of Paris, where he listened to nearly two hundred lecturers not alone on his favorite subjects of jurisprudence, history, and *belles lettres*, but also on science and philosophy. Paris with her thousand and one attractions and opportunities to the general student, lay spread out at the feet of the young scholar—her ancient buildings and landmarks; her picture-galleries, and monuments; her public hospitals and charities; her courts, churches, and theatres; her celebrated men, legislators, *litterateurs*, and *savants*; her brilliant society and

salons—in short, all her large, cosmopolitan life and human point of view. No one of which escaped the eager, indefatigable, all-devouring mind of Sumner.

To Hillard, just three months after his departure from New York, he wrote : "I shall stay in Paris till the middle of April; I find ten times as much here to interest me as I anticipated. The lectures, the courts, the arts,—each would consume a year—to say nothing of the language which I am trying after very hard." To Dr. Lieber : "All that you have promised for me in Europe has been more than realized. I have seen new *lives*; and the life of life seems to have burst upon me. Cicero could hardly have walked with a more bounding and yet placid joy through the avenues of his Elysium, and conversed with Scipio and Laelius, than I, a distant American, of a country which has no prescription, no history, and no association, walk daily in the places which now surround me."

May 21, he wrote Judge Story : "Still in Paris, and still longing to stay here. I have promised many persons that I will return, and I must return. I find myself on a track which no American, perhaps no Englishman, has ever followed. I wish to master the judicial institutions of this great country; and for this purpose to talk with the most eminent judges, lawyers, and professors, and to get their views upon the actual operation of things. How I shall use the materials I may collect remains to be seen, whether in a work presenting a *comparative view of the judicial institutions* of France, England, and America, particularly with a view to the theory of proofs and the initiation of causes, I cannot tell; but certainly there is a vast

amount of valuable information which I may harvest in future years. In collecting this information, I see before me the clear way of doing good and gratifying a just desire for reputation."

These opportunities and experiences, highly prized as they were by him (Sumner), could not blind him to the merits of America. "I have never felt myself so much an American," he wrote Judge Story, "have never loved my country so ardently, as since I left it. I live in the midst of manners, institutions, and a form of government wholly unlike those under which I was born ; and I now feel in stronger relief than ever the superior character impressed upon our country in all the essentials of happiness, honor, and prosperity. I would not exchange my country for all that I can see and enjoy here. And dull must his soul be, unworthy of America, who would barter the priceless intelligence which pervades his whole country, the universality of happiness, the absence of beggary, the reasonable equality of all men as regards each other and the law, and the general vigor which fills every member of society, besides the high moral tone, and take the state of things which I find here, where wealth flaunts by the side of the most squalid poverty, where your eyes are constantly annoyed by the most disgusting want and wretchedness, and where American purity is inconceivable."

But if months in the French metropolis could not blind the young American to the merits of his country, neither could they hide from him her one great sin. The national skeleton haunted Sumner in the gay and brilliant centre of European life. Slavery was an evil whose astral form had an uncomfortable way of

appearing to Americans in all parts of the world. Wherever they traveled in the Old World, there, sooner or later, they were sure to encounter the ghost of the Republic's murdered Banquo. The noise of the fierce struggle in Congress over the right of petition reached across the waters, and the tyranny of the slave-power aroused his indignation, as witness this word to Hillard: "Why did the Northern members of Congress bear the infamous bullying of the South? Dissolve the Union I say."

Willy-nilly he was forced to reflect upon the subject of slavery at home. He was forced to listen to the reflections of others on the same subject also. He calls on Sismondi, the historian of the "Italian Republics," and lo! Sismondi proceeds to speak at length and with ardor on that theme. Sismondi is a thorough-going Abolitionist, and is astonished that America does not profit from the experience of other nations "and eradicate slavery, as has been done in the civilized parts of Europe."

In Paris, Sumner meets a South Carolina slave-holder, who is nevertheless opposed to the peculiar institution, "and believes it can be and ought to be abolished." Besides these lessons in liberty the young scholar received his first practical ones in human equality and fraternity. It was while attending the lectures of De Gerando and Rossi in the *Ecole de Droit*, that Sumner noticed among the audience two or three colored pupils "dressed quite à la mode, and having the easy, jaunty air of young men of fashion, who were well received by their fellow-students. They were standing in the midst of a knot of young men, and their color seemed to be no objection to

them." Whereupon Sumner makes this observation and deduction in his journal: "I was glad to see this, though, with American impressions, it seemed very strange. It must be, then, that the distance between free blacks and the whites among us is derived from education, and does not exist in the nature of things."

After a residence of five months, Sumner left Paris and passed over to London. In anticipation of which he wrote Judge Story in May: "I leave Paris with the liveliest regret, and feeling very much as when I left Boston, with a thousand things undone, unlearned, and unstudied which I wished to do, to learn, and to study. I start for England, and how my soul leaps at the thought! Land of my studies, my thoughts, and my dreams! There, indeed, shall I 'pluck the life of life.' Much have I enjoyed and learned at Paris, but my course has been constantly impeded by the necessity of unremitting study. The language was foreign, as were the manners, institutions, and laws. I have been a learner daily; I could understand nothing without study. But in England everything will be otherwise. The page of English history is a familiar story, the English law has been my devoted pursuit for years, English politics my pastime, and the English language is my own. I shall there at once leap to the full enjoyment of all the mighty interests which England affords, and I shall be able to mingle at once with its society, catch its tone, and join in its conversation, attend the courts, and follow all their proceedings as those at home. Here, then, is a pleasure which is great almost beyond comparison, —greater to my mind than anything else on earth,

except the consciousness of doing good ; greater than wealth and all the enjoyments which it brings."

Delightful as was England in anticipation, England in reality far exceeded it. It was impossible for Sumner to have foreseen what was in store for him. Never before had an American been so cordially received, been the recipient of attentions so universal and distinguished from the upper classes of British society, as made the young scholar's sojourn in the United Kingdom one round of opportunities and successes. Not even Everett, Ticknor, Adams, Longfellow, Motley, and Winthrop in the maturity of their fame were so lionized as was their young and unknown compatriot.

He averaged at least five invitations a day, was admitted as a foreign visitor into four of the London clubs, was welcomed with open arms by bench and bar, by the foremost men of letters, science, and philosophy, by the leading clergymen and statesmen of the land. So extraordinary was the demand for his company at dinners, that in some instances it could only be obtained by engagements ten days in advance. Indeed, "his popularity in society became justly so great and so general," some one has remarked, "that his friends began to devise what circle there was to show him which he had not yet seen, what great house that he had not yet visited."

It was even so, for Sumner was an honored guest at most of the country-seats of England and Scotland. He was welcomed by Whigs and Tories with equal cordiality into their households. He traveled the circuits, as the companion of judges, like Denman, Vaughan, Parke, and Alderson, and of leaders of the

bar, like Follet, Talfourd, Wilde, and Rolfe. He met on familiar footing such luminaries of the world of letters as were Hallam, Grote, Macaulay, and Landor. Carlyle, whom he visited and heard lecture, seemed to him "like an inspired boy," so galvanic were the thoughts which came from him couched in a style grotesque and intense in the highest degree. On remarking to Lord Jeffrey that Carlyle had very much changed his style since he wrote his article on Burns, the great critic replied, "Not at all; I will tell you why that is different from his other articles: *I altered it.*"

With Wordsworth, whom he also visited, he was quite charmed, so simple, graceful, and sincere were his manners and conversation. "I felt that I was conversing with a superior being," Sumner wrote Hillard; "yet I was entirely at my ease." The poet spoke warmly on two subjects—slavery and copyright. Very different were our young traveler's impressions of another great man whom he also visited, viz., Lord Brougham. "I am almost sorry that I have seen Lord B.," he wrote Hillard, "for I can no longer paint him to my mind's eye as the pure and enlightened orator of Christianity, civilization, and humanity. I see him now, as before, with powers such as belong to angels: why could I not have found him with an angel's purity, gentleness, and simplicity? I must always admire his productions as models of art; but I fear that I shall distrust his sincerity, and the purity of his motives." Sumner's failing faith in this unlovely and extraordinary man was not checked by the discovery, made at his own table, that he was addicted to the vulgar vice of swearing to an unparal-

leled extent. "I have dined in company nearly *every day* since I have been in England," Sumner remarked in one of his letters, "and I do not remember to have met a person who swore half so much as Lord Brougham—and all this in conversation with an aged clergyman!"

Sidney Smith's conversation Sumner found "infinitely pleasant, and instructive, too," while that of Macaulay he set down as "rapid, brilliant, and powerful; by far the best of any in the company, though Mr. Senior was there, and several others of no mean powers." But Jeffrey, who "pleases by the alternate exercise of every talent, at one moment by a rapid argument, then by a beautiful illustration, next by a phrase, which draws a whole thought into its powerful focus, while a constant grace of language and amenity of manners, with proper contributions from humor and wit, heighten these charms," he pits against the world of conversationalists.

Sumner notes in one of his letters a somewhat curious and questionable custom which obtains in England in connection with card-playing. "I have found it universal in England," he wrote Hillard, "to play for money; sober persons make the sum sixpence on each point—a term which I do not understand, though I have gained several points, I have been told. I played one evening with Lord Fitzwilliam as my partner; and we won between us about a pound; which was duly paid and received." Another evening he plays with the young Scarborough and De Manley and a *clergyman*, when he is again successful, and the clergyman pays him five shillings! All this was very distasteful to his Puritan prejudice against

cards at their best estate. But, since he was in Rome, he fell into accord, socially speaking, with what was lawful for Romans to do, asking no questions for conscience sake. Quite unlike the usage in this country, man and wife, when playing cards in England, are always partners, because, as Lord Fitzwilliam observed within Sumner's hearing, "they would *gain nothing*; it would do a man no good to win from his wife." And Lord Fitzwilliam, the young Puritan tolerantly remarked, "is a person of the greatest purity of character, and religious feeling."

The young scholar's life was full to overflowing with the most interesting experiences. Existence was a gold goblet, brimming with the juices of a thousand vineyards and delights. Wherever he turned, his eyes fell upon wide, illuminated pages of human life, and, wherever he listened, voices of a great and glorious past ravished his intellect. His joy was supreme, complete, as he stood before those architectural mountains of the north and of the south of England, Durham and Salisbury cathedrals. "My happiest moments in this island," he wrote Hillard from Fairfield Lodge, near York, "have been when I saw Salisbury and Durham cathedrals. Much happiness have I enjoyed in the various, distinguished, and interesting society, in which I have been permitted to mingle; but greater than all this was that which I felt, when I first gazed upon the glorious buildings I have mentioned. Then it was that I was in communion with no single mind—bright and gifted though it be—but with whole generations. Those voiceless walls seemed to speak; and the olden time, with its sceptred pall, passed before me.

Oh! it was with a thrill of pleasure that I looked from the spire of Salisbury, and wandered among the heavy arches of Durham, which I can never forget."

He spent a part of the Christmas holidays of 1838 at Milton Park with Lord Fitzwilliam, and there participated in the English sport of fox-hunting for the first time. He sent to Hillard a graphic description of one of these performances, and of his own hair-breadth escapes. "The morning after my arrival," he writes, "I mounted at half-past nine o'clock a beautiful hunter, and rode with Lord Milton about six miles to the place of meeting. There were the hounds and huntsmen and whippers-in, and about eighty horsemen,—the noblemen and gentry and clergy of the neighborhood, all beautifully mounted, and the greater part in red coats, leather breeches, and white top boots. The hounds were sent into the cover, and it was a grand sight to see so many handsome dogs, all of a size, and all washed before coming out, rushing into the underwood to start the fox. We were unfortunate in not getting a scent immediately, and rode from cover to cover; but soon the cry was raised 'Tally-ho!'—The dogs barked—the horsemen rallied—the hounds scented their way through the cover on the trail of the fox, and then started in full run. I had originally intended only to ride to cover to see them throw off, and then make my way home, believing myself unequal to the probable run; but the chase commenced, and I was in the midst of it, and being excellently mounted nearly at the head of it. Never did I see such a scamper; and never did it enter into my head that horses could be pushed to such speed in such places. We dashed

through and over bushes, leaping broad ditches, splashing in brooks and mud, and passing over fences as so many imaginary lines. My first fence I shall not readily forget. I was near Lord Milton, who was mounted on a thoroughbred horse. He cleared a fence before him. My horse pawed the ground and neighed. I gave him the rein, and he cleared the fence: as I was up in the air for one moment, how was I startled to look down and see that there was not only a fence but a *ditch!* He cleared the ditch too. I have said it was my first experiment. I lost my balance, was thrown to the very ears of the horse, but in some way or other contrived to work myself back to the saddle without touching the ground (*vide* some of the hunting pictures of leaps, etc.). How I got back I cannot tell, but I did regain my seat, and my horse was at a run in a moment. All this, you will understand, passed in less time by far than it will take to read this account. One moment we were in a scamper through a ploughed field, another over a beautiful pasture, and another winding through the devious paths of a wood. I think I may say that in no single day of my life did I ever take so much exercise. I have said that I mounted at nine and a half o'clock. It wanted twenty minutes of five when I finally dismounted, not having been out of the saddle more than thirty seconds during all this time, and then only to change my horse, taking a fresh one from a groom who was in attendance. During much of the time we were on a full run."

Sumner's experience, anent the English custom of card-playing, the reader will recall, ran somewhat against the grain of his New England conscience.

The English sport of fox-hunting, though much enjoyed at the time, exerted, upon reflection, a sobering influence upon him also. "I was excited and interested by it, I confess," he wrote Hillard ; "I should like to enjoy it more, and have pressing invitations to continue my visit or renew it at some future period. But I have moralized much upon it, and have been made melancholy by seeing the time and money that are lavished on this sport, and observing the utter unproductiveness of the lives of those who are most earnestly engaged in it—like my lord's family, whose mornings are devoted to it, and whose evenings are rounded by a sleep." Europe could not spoil him, or silence within him the still, small voice of duty and aspiration, President Quincy's apprehensions to the contrary notwithstanding.

England, like France, failed to make inroads upon the simplicity of his character and manners, upon his loyalty to country and old friends. He remained at the end of this first visit to England as he was in the beginning of it—the same natural, genial, unaffected lover of learning and learned men and women. Not for an instant, amid all the seductions of the most brilliant society of the Old World, was his ardent affection for America lessened. Not that he was blind to the faults of America. Indeed, from his perch across the Atlantic they appeared with painful distinctness to him. Her politics seemed petty and provincial by the side of the world-wide questions which occupied the thought and time of Europeans.

He frankly owned that "in England, what is called society is better educated, more refined, and more civilized than what is called society in our country."

Still he was none the less American for seeing these points, which put America at a disadvantage when compared with Europe. The true pride of his country he perceived, as he had not before this visit abroad perceived it, lay, as Charles Buller put it, with all below the "silk-stockings classes." The American "silk-stockings classes" were, undeniably, not on a level with the "silk-stockings classes" of the mother country. But that it was quite otherwise with the middle and poorer classes, Sumner was not slow to discern. "The true pride of America," he wrote in one of his letters, "is in her middle and poorer classes—in their general health and happiness and freedom from poverty; in their facilities for being educated, and in the opportunities open to them of rising in the scale."

As Sumner was to come into collision with these "silk-stockings classes" of America, it was of no small moment to him that he should get this comparative view of them at this time, see them with the unprejudiced eye of an intelligent and liberal-minded outsider. For he was at the same time and unconsciously emancipating his mind from the spell which such classes throw over individuals, the strongest and most upright. Destiny had thus early discharmed for the young scholar this power—forearmed him against its enslaving influence.

He was during this visit to England full of the most kindly offices to friends and compatriots. Now these friendly offices were directed to calling the attention of English men of letters to Prescott's "History of Ferdinand and Isabella," then just published, and to securing for it an appreciative and scholarly

review from competent hands. Now they were enlisted in behalf of Judge Story, getting at his instance copies of important legal manuscripts, or looking after the interests of the judge's fast multiplying works upon the law. Or maybe they were addressed toward enhancing the sale or obtaining a publisher for some one of the many volumes from the prolific pen of Dr. Lieber. In fine, they and others found an infinite capacity of friendly service in the young scholar. As he himself expressed it in a letter, "It is not simply the seeing sights and enjoying society that occupy me ; but I happen everywhere upon people who wish some sort of thing, some information about something which I am supposed to know, who wish introductions in America, or England, or the like ; and, forsooth, I must be submissive and respond to their wishes. I assure you my tour has been full of pleasure and instruction ; but it has not been less full of work." Some men seem born to serve their fellows, and Charles Sumner was undoubtedly of this class.

He performed for the United States a noteworthy service at this period. The controversy growing out of the conflict of claims in relation to the boundary line between the possessions of Great Britain and those of the American Republic, and known as the "Northeastern boundary," or "Maine disturbances," took on, while Sumner was in England, a rather bellicose tone. The State of Maine, a part of whose territory was in dispute, was particularly belligerent, having erected and garrisoned a series of forts along her frontier line to defend her title. Her chief executive was, besides, a rash and hot-headed coun-

selor, with whose intemperate message on the question Sumner was not a little disgusted. When he read "the undignified, illiterate, and blustering document" of this American official, he confessed to Hillard, "I felt ashamed of my country."

But if Sumner disapproved of the Maine method of settling a grave international dispute, he by no means disapproved of the claims of his country touching the Northeastern boundary line. Indeed, when in Paris the second time, he prepared, at the request of the United States Minister to France, General Lewis Cass, a clear and elaborate statement of the American case, which was published in *Galignani's Messenger*, and produced a highly favorable impression upon the thinking people of America and in England. Professor Greenleaf was delighted with it, thought that the document entitled the author to "a secretaryship of legation." Edward Everett was hardly less appreciative of the public service rendered by the young scholar, while Robert Ingham, Englishman though he was, viewed the argument as "conclusive" against the position of Great Britain in the controversy.

The possibility of war between England and the United States excited in Sumner the most painful emotions, and strengthened undoubtedly his growing opposition to the arbitrament of the sword in the settlement of differences between nations. Writing Lord Morpeth concerning his own apprehensions in this regard, and of his reliance upon the deep love to England of the educated classes of the Union to avert an actual outbreak between the two countries, Sumner said: "Still it is a dreadful thing to enter-

tain the idea of the possibility of such a war, the most fratricidal ever waged. My own heart is so bound up in England, while as to a first love I turn to my own country, that I cannot forbear writing you as I do. You can do much in your high place, and with your great influence, to avert such a calamity ; and I shall always look to you as one of the peace-preservers. For myself I hold all wars as unjust and un-Christian ; I should consider either country as committing a great crime that entered into war for the sordid purpose of securing a few more acres of land." The human question was plainly transcending in the mind of Sumner all narrower questions of race and country, thanks to the human love which welcomed him everywhere in England as a brother.

After a sojourn of nine months in England, Sumner recrossed the channel to France and passed four interesting weeks in Paris, where he found Lord Brougham and other friends, French, English, and American, with whom he renewed old acquaintances. Paris was as gay and fascinating as ever. He rejoiced afresh in the beautiful city, not alone for its splendid sights and scenes, but for its people's palaces, for "its museums, stored in the halls of kings, which are gazed on by the humble, the lowly, and the poor." "I again entered the Louvre with a throb," he wrote Hillard, "and rejoiced as I ascended its magnificent stairway, to think that it was no fee-possession, set apart to please the eyes of royalty." Nowhere, in sooth, whether in England or France, was the young American unmindful of the situation or of the rights of the people. Their wretchedness depressed, their advancement elevated his spirits.

In the month of May he set sail from Marseilles for sunny Italy, land of his studies and of his dreams. The happiness of our tourist may be said to have touched its high-water mark under skies which had once smiled on Virgil and Horace, on Cicero, Cæsar, and Tacitus. Here, amid historic sites and ruins, he revived the glory of Augustus, the arms and the letters of Rome. From Naples he wrote : " How can I describe to you, my dear Hillard, the richness of pleasure that I have enjoyed ! Here is that beautiful bay with its waters reflecting the blue heavens, and its delicious shores studded with historical associations. What day's enjoyment has been the greatest I cannot tell,—whether when I walked amidst the streets of Pompeii, and trod the beautiful mosaics of its houses ; or when I visited Baiae and Misenum, and looked off upon Capri and Procida ; or when I mounted the rough lava sides of Vesuvius, and saw the furnace-like fires which glowed in its yawning cracks and seams. . . . I think I do not say too much when I let you know that, with all my ardent expectations, I never adequately conceived the thrilling influences shed by these ancient classical sites and things. You walk the well-adjusted pavement of Pompeii, and distinctly discern the traces of wheels worn into its hard stone ; and in the houses you see mosaics and frescoes and choice marbles that make you start. But reach the Forum, and there you are in the midst of columns and arches and temples that would seem wonderful to us if found in a grand city, but are doubly so when disentombed in a humble town. What must Rome have been, whose porches and columns and arches excited the wonder of the ancient world, if this little

place, of whose disastrous fate only we have heard an account, contained such treasures ! I do not believe there is a single town of the size of the ancient Pompeii in modern Europe where you will find so much public or private magnificence, where you will enter so many private dwellings enriched by the chisel and the pencil, or stand in a public square like her Forum. . . . Capo Miseno is on the opposite side of the bay. One day's excursion carried me over the scene of the Cumaeian Sibyl (I would fain have sent you home a mistletoe from the thick wood), round the ancient lake Avernus, even down the dark cave which once opened to the regions of night ; by the Lucrine bank, whence came the oysters on which Horace and Juvenal fed ; over the remains of Baiae where are still to be seen those substructions and piles, by which, as our old poets said, their rich owners sought to abridge the rightful domain of the sea ; and on the top of Capo Miseno, in the shade of the vine, with fresh breezes coming from Hesperus and the West ; and in the ancient gardens of Lucullus I sat down to such a breakfast as the poor peasants of this fertile land could supply."

But amid such enchanting scenery and associations the pure joy of the young scholar is marred by the presence of human wretchedness. The Neapolitan beggar is ubiquitous and irrepressible. "Beggary is here incarnate," he exclaims. "You cannot leave the house without being surrounded by half a dozen squalid wretches . . . they travel with you, and go into the country with you—wherever you make a *soutie* from the town—as if joined to your person ; and on the quays they stretch themselves at full length,

while a hot sun is letting fall its perpendicular rays."

Perhaps these *lazzaroni* had for Sumner their lesson no less than the vestiges of an imposing past. Were they not equally with broken columns and buried cities witnessesto the fall of the mistress of the world? How had Rome risen, how fallen? What was the unguessed riddle of conduct, which turned loose upon her mighty power and her mighty children the all-devouring Sphinx of the moral law? Did not these beggarly Neapolitans show that the soul that sinneth, whether social or individual, surely dies? Ah! sin was the destroyer, sin brought the men and their monuments together into the dust. And these repulsive creatures, what were they but the gibbering ghosts of a once tremendous race, wandering wretched amid scenes of past greatness and glory, for the living a dreadful monition to the strength of human folly and iniquity? Yes, to the young American, they, too, held a lesson, a lesson of the gravest moment to his far-away country; where, meanwhile, was fiercely enacting the supreme tragedy of freedom, of national folly and iniquity.

But the scholar proves too strong for the moralist amid the eloquent remains of the *Eternal City*. Voices are ringing in his ears, but they are voices of sages and statesmen, poets, orators, and historians. To his scholar's soul the present has become the past, the past the present. Rome reigns again on her seven hills, Horace sings, Cicero fulmines, Augustus mounts the steps to the Capitol. The dreams of his boyhood and manhood have at last come to pass.

He is in a state of constant delight. For he has

"passed through dirty Capua (shorn of all its soft temptations); with difficulty found a breakfast of chocolate and bread where Hannibal's victorious troops wasted with luxury and excess; enjoyed the perfume of the orange and lemon trees that line the way in the territories of Naples; at midnight awoke the last *gendarme* of his Neapolitan Majesty, who swung open the heavy gates through which we entered the territories of the Supreme Pontiff; rode all night; crossed for twenty-eight miles the Pontine marshes; and at length, from the heights of Alba, near the tomb of the Curiatii, desciued the dome of St. Peter's and Rome!"

He opens and reads a letter from home "on the Capitoline Hill, with those steps in view over which the friars walked while Gibbon contemplated; the wonderful equestrian statue of Marcus Aurelius before me; while thickening about in every direction were the associations of Old Rome." Ah what joys opened to him in Rome! "Art in these noble galleries, and antiquity in these noble ruins," he wrote, "afford constant interest. To these and to Italian literature I have given myself here. Painting I have studied in the works of the masters before me, and in the various books in which their lives and merits are commemorated; and I have not contented myself by simply seeing and looking upon the ancient remains that have been preserved to us." No, he reads Horace in the very Tibertine grove, celebrated by the exquisite genius of the poet, and feels on the spot the felicity of the verses. .

For four July days Sumner and George W. Green, the then scholarly American Consul at Rome, were

the guests of Franciscan friars at the Convent of Palazzuola, "on the ancient site of Alba Longa—of which scarcely the least trace is now to be found," the former wrote descriptively to Hillard—"and overlooks the beautiful Alban Lake. No carriage can approach within two miles on either side, and it is surrounded by precipices and almost impenetrable forests. I do not remember ever to have seen a more lovely and romantic situation. Here we read the poets, chat with the fathers, ramble in the woods, and bathe in the clear waters. The scene is so like a picture, that I sometimes look to see Diana in full chase with her nymphs about her."

To Longfellow he wrote, touching the sort of reception which awaited Felton, who was then expecting to visit Europe soon: "The cellar should send up its richest treasures—*cellar*, did I say? The grottos shall afford their most icy wines; and with him we will try to find, amidst these thick woods and precipitous descents, some remains of that noble city which was so long a match for Rome. In our garden we will show him a tomb with the fasces still boldly visible, where reposes the dust of a consul of the Republic!" While to Professor Greenleaf he wrote from his monastic retreat: "In the background is the high mountain which was once dedicated to Latial Jove, to whom Cicero makes his eloquent appeal in the oration for Milo; and on one side clearly discernible from my windows, is Tusculum, the favorite residence of the great Roman orator."

That, indeed, was a change for Sumner, from England to Italy. In the one country he existed mainly in the present, touching wherever he turned

the living thought of living minds in a living society and civilization. From every direction life pressed around him, strong and restless as the sea which girts the island home of the English people. There he spoke a living language, studied living laws and institutions, scanned the pages of a living literature, pondered living problems in conduct. But in Italy, he dwelt mainly in the past, touched elbows with the dead, lived and moved in the fair and stately world of books.

His industry was astonishing, his achievement prodigious. He mastered the Italian language, and explored the enchanted land of Italian literature from Dante to Alfieri. His days are devoted to these literary excursions. They begin about half past six o'clock in the morning and continue, with but a slight intermission for breakfast at ten, until between five and six in the afternoon, when he dresses for dinner, which consists usually of fruits, salads, and wine, spread under a mulberry tree in a garden. By this time his friend Green calls for him, and together they sally forth on a quest of discovery within or without the walls of Rome. Many an hour the friends, seated "upon a broken column, or a rich capital in the Via Sacra, or the colosseum," have "called to mind what has passed before them, weaving out the web of the story they might tell." Then Sumner returns to his readings—and what readings they are, to be sure—of Dante, Tasso, and Ariosto ; of Petrach, Boccaccio, and Machiavelli; of Alfieri, Guicciardini, Niccolini, Romagnosi, Manzoni—in fine, these readings extend through a long list of those works of genius, which comprise the literature of modern Italy. Indeed, he has studied

to such purpose, that, after a residence of four months in Italy, he is able to write a friend that "there is no Italian which I cannot understand without a dictionary ; there is hardly a classic in the language of which I have not read the whole, or considerable portions. I understand everything that is said in a coach ; can talk on any subject" with such facility, notwithstanding mistakes, that even in French-speaking Milan all the valets and waiters address him as if to the manner born !

During Sumner's residence in Italy he met and greatly admired three American sculptors, then doing capital work there, viz., Greenough, Powers, and Crawford, between the latter of whom and the young scholar there sprang up a lifelong friendship. Crawford was, at the time of Sumner's visit, pursuing his art in poverty and obscurity. He was sorely in need of just such an appreciative friend as Sumner speedily proved himself to be. Indeed, it was mainly due to his ardent representations to friends at home, that the genius of Crawford was brought to the notice of America and the world, almost immediately after this visit to Rome. In his behalf Sumner promptly enlisted the interest of his fellow-members of the "Five of Clubs," together with that of Everett, Prescott, and Ticknor.

To Hillard he wrote: "Crawford is now modeling an 'Orpheus Descending Into Hell.'<sup>1</sup> The figure is as large as life. He has just charmed with his lyre the three-headed dog, and with an elastic step is starting on the facile descent: Cerberus is nodding

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<sup>1</sup> Now in the Museum of Fine Arts at Boston.

at his feet. The idea is capital for sculpture, and thus far our countryman has managed it worthily. It is without exception the finest study I have seen in Rome, and, if completed in corresponding style—and I do not doubt that he will do this—will be one of the most remarkable productions that has come from an artist of his years in modern times. Crawford is poor, and is obliged to live sparingly, in order to continue his studies. If his soul were not in them, I think he would have abandoned them long ago. Strange to say, his best orders come from foreigners—English and Russians. Let him once have a good order from some gentleman of established character, and let the work be exhibited in America, and his way will be clear. Orders will then come upon him as fast as he can attend to them. . . . It was the case with Greenough. Cooper saw him, was pleased with him, and gave him an order for his bust; this he executed finely. Cooper then ordered a group, which was the ‘Chanting Cherubs,’ and gave Greenough the privilege of exhibiting it in the principal cities. From that moment his success was complete. Before, he had been living as he could; not long after, he was able to keep his carriage. . . . In the matter of this letter I feel a sincere interest, because the artist is young, amiable, and poor; and, benefiting him, you will be sowing the seed, which will ripen to the honor of our country.”

This *amor patriae* of the young scholar, whom President Quincy was afraid that Europe would spoil, crops out with no little prominence, when he compares Greenough with his European contemporaries. From Florence he writes Green at Rome: “Green-

ough I like infinitely. He is a person of remarkable character every way—with scholarship such as few of our countrymen have; with a practical knowledge of his art, and the poetry of it; with an elevated tone of mind that shows itself in his views of art, and in all his conversation. I am firmly convinced that he is a superior person to any of the great artists now on the stage. I have seen something, you know, of Chantrey in England, David in France, and those English fellows at Rome. As men—as specimens of the human race to be looked up to and imitated—they are not to be mentioned in the same breath with our countryman. Three cheers for the stripes and stars!"

Of the future author of the "Greek Slave" Sumner writes : "I have seen a good deal of Powers. He is very pleasant and agreeable. His busts are truly remarkable, close likenesses, without coarseness and vulgarity. . . . I asked Greenough if he thought Powers could make a young Augustus. 'If he had a young Augustus to sit to him,' was the reply."

Sheriff Sumner passed away while his son was abroad. The mournful tidings reached Charles in Italy, and cast a gloom over his otherwise delightful visit. There was no reason why this event should hasten his return home, and his family so advised him. The sheriff had left his widow and children in easy circumstances, with little to do, besides the purely formal proceedings connected with the administration of his estate. Nevertheless, Sumner was keenly solicitous about the welfare of his younger brother and sisters. The nature of this solicitude he reveals to Hillard. "It is of the *education* of my

younger brother and sisters that I most think," he wrote; "and I wish I were at home to aid them in their studies, to stimulate them, and teach them to be ambitious. I have written to my mother at length on this subject, for I know no one on whom the responsibility of their education now depends more than myself. I have no right to trouble you on this subject, but I cannot forbear saying that you would render me a very great service, if you would advise with my mother about this. . . . I wish that the three younger children should have a competent French instructor to give them lessons . . . in speaking and reading this language. . . . I am anxious that my sisters should have the best education the country will afford; this I know, their portion of our father's estate will amply give them; and further, to that purpose most freely do I devote whatever present or future interest I may have in it . . . this may be counted upon, that, in any division of my father's property as regards my sisters, I am to be considered entirely out of the question; so that, if need be, reference may be had to this circumstance, in incurring the necessary expenditure for their education. This I communicate to your private ear, not to be spoken of, but to be used for your government in any conversation you may have with my mother." It was ever thus with the young scholar, dutiful son he was always, and generous and devoted brother.

From Italy Sumner passed into Germany, where he spent five interesting months in the study of the German language, laws, literature, and society, and where he met and conversed with the most celebrated

people at Vienna, Berlin, Munich, Leipzig, Heidelberg, and other cities, such as Prince Metternich, Humboldt, Ranke, Thibaut, Savigny, Raumer, and Mittermaier.

From Berlin he writes Hillard : "I fain would rest here all the winter, pursuing my studies and mingling in this learned and gay world. I know everybody, and am engaged every day. All the distinguished professors I have seen familiarly, or received them at my own room. Raumer and Ranke, the historians ; of these two Ranke pleases me the most : he has the most vivacity, humor, and, I should think, genius, and is placed before Raumer here. . . . Humboldt is very kind to me. He is placed at the head of the conversers of Germany. . . . Savigny I know well, and have had the great pleasure of discussing with him the question of codification. . . . He is placed, by common consent, at the head of jurisprudence in Germany, and, you may say, upon the whole continent."

From Heidelberg he writes Judge Story : "I am here in this beautiful place to study German, before I take my final leap to America. Lovely it is, even in this season [winter], with its hills 'in russet clad' ; but lovely, indeed, must it be when they are invested with the green and purple of summer and autumn. . . . I have long talks with Mittermaier, who is a truly learned man, and, like yourself, works too hard. We generally speak French, though sometimes I attempt German, and he attempts English ; but we are both happy to return to the universal language of the European world. I like Thibaut very much. He is now aged but cheerful. His conversation is very interesting, and abounds with scholarship ; if he

were not so modest I should think him pedantic. In every other sentence he quotes a phrase from the Pandects or a classic. It has been a great treat to me to talk familiarly, as I have, with the two distinguished heads of the great schools, *pro* and *con*, on the subject of codification—Savigny and Thibaut. I have heard their views from their own lips, and have had the honor of receiving them in my own room."

After an absence of twelve months on the continent, Sumner returned to England where he was the recipient of renewed attentions from the leaders in the British world of letters, politics, and law, during the few weeks which remained to him before he sailed for America. James A. Wortley wrote him on the eve of his departure: "You have had better opportunities of seeing all classes of society, and all that is interesting among us, than any other of your countrymen, and I trust that your experience may not disincline you to revisit us." Mrs. Basil Montagu wrote: "We shall long and kindly remember you. You have made an impression on this country, equally honorable to England and to *you*. We have convinced you that we know how to value truth and dignified simplicity, and you have taught us to think much more highly of your country, from which we have hitherto seen no such men." Lady Carlisle and Robert Ingham actually shed tears when the young scholar took leave of them. Sumner landed in New York May 3, 1840. He was then twenty-nine years old, and had been abroad twenty-nine months. The long period of preparation was ended, and the long period of labor begun. Hercules has at last emerged from the Nemean Forest with his club.

## CHAPTER IV.

### PERIOD OF LABOR BEGINS.

THE great preparation has now come to a close. Out of the forest of Old World ideas, society, and institutions our hero has emerged, armed cap-a-pie for the labors of manhood—of life. The study of the law formed, in truth, but a part of this preparation. Its science, not its practice, excited his enthusiasm. He had early and instinctively turned from the technicalities, the tergiversations, the gladiatorial display, and contention of the legal profession. To him they were the ephemeris of the long summer tide of jurisprudence. He thirsted for the permanent, the ever-living springs and principles of his subject. Grotius, and Pothier, and Mansfield, and Blackstone, Story, and Savigny were the immortal heights to which he aspired. He had neither the tastes nor the talents to emulate the Erskines or the Choates of the bar.

His vast readings in the field of history and literature contributed also to his splendid outfit. So, too, his wide contact and association with the leading spirits of the times. All combined to teach him to know himself, and the universal verities of man and society—to distinguish the enduring substance of life from its merely accidental and evanescent phases and phenomena. He had proved himself an apt

disciple, had laid up in his soul the grand lessons of the book of truth.

He found abroad what he had found at home, the same open page of this book -- MAN everywhere, human society, human thoughts, human strivings. Beneath differences of languages, governments, manners, customs, religions, he discerned the human principle and passion, which make all races kin, all men brothers. In strange and distant lands he had found the human heart with its beatitudes, friendships, heroisms; the human intellect with its never-ending movement and progress. Home he found, a common destiny, wherever he met common ideas and aspirations. And these he had but to look around to behold. The young American felt himself a citizen of an immense over-nation, a world of federated human hopes and interests. To Europe he had gone, himself he had seen, and conquered. He had glimpsed the promised land of international fellowship and peace, had cast out of his own mind the evil genius of war. He returned to his country proud that he was an AMERICAN, prouder that he was a MAN.

He had come back determined to falsify the fears of friends that his long residence in Europe would wean him from the law, by taking up with zest and energy its practice, where he had dropped it more than two years before. But good resolutions are more easily formed than performed, as he must have soon perceived in his own case. Several months slipped by after his return before he was ready to resume his place in his profession. Alas! he was full of Europe, her thousand and one charms and felicities, her antiquities, her libraries, her schools of learning,

her art and literary treasures, and institutions, her brilliant society and celebrated men. These filled his thoughts, and, during those first months following his arrival in Boston, were ever on his lips. It was clear that he was more than ever in love with *Europa*.

If *Europa* is irresistible, *Themis* is a most exacting mistress, who tolerates no rivals near her throne. She abhors a divided mind as nature is reputed to abhor a vacuum. Whoso would win her favors must devote himself, his whole self, body and soul, to her service, otherwise she frowns, and a frown of *Themis* no lawyer in his right mind is disposed to invite. Certainly Sumner was in no humor, much as he panted for *Europa*, to call down upon his head such a misfortune. And so at the close of the summer vacation he took his old seat in his office at No. 4 Court street and waited for clients. The clients came, and with them the routine and drudgery of his profession, which he, alas, abhorred quite as strongly as *Themis* abhors a divided mind. "I found the bill of costs without understanding it," he once wrote a brother lawyer with evident disgust; "and I sometimes believe that it is not in my power to understand anything which concerns such matters."

He had important cases intrusted to his care, the pleadings and evidence connected with them he prepared with his accustomed thoroughness and industry, and at times he deceived himself into the belief that his affections were bound up with the stern-browed divinity of the law, and that he was disappointing the predictions of those people who had felt when he went abroad that he was disabling himself for the successful practice of his profession. Ah! was

he not content, did he not enjoy his work? Was he not after all going to be a success at the bar? He meant to be content, he wanted to take pleasure in his work, he hoped to reach eminence as a lawyer. But it was not for him to change his mental and moral constitution, which mental and moral constitution, not Europe, unfitted him for the practice of the law.

He worked early and late at his desk, was punctual and faithful in his devotion to his legal business, tried, in fact, to substitute industry for interest, but it was plain, notwithstanding his efforts that he was not at home in the ordinary labors of his profession. It was only a few weeks after the resumption of his place at the bar that he wrote his friend, Lieber : "I write you from my office, where I install myself at nine o'clock, and sit often without quitting my chair till two; then take the chair again at half-past three, which I hold till night. Never at any time since I have been at the bar have I been more punctual and faithful. . . . Still I will not disguise from you, my dear Lieber, that I feel while I am engaged upon these things, that, though I earn my daily bread, I lay up none of the bread of life. My mind, soul, heart, are not improved or invigorated by the practice of my profession; by overhauling papers, old letters, and sifting accounts, in order to see if there be anything on which to plant an action. The sigh will come for a canto of Dante, a rhapsody of Homer, a play of Schiller. But I shall do my *devoir*." But to do his *devoir* by one mistress while his heart belonged to another was not enough. In truth, during office hours he sometimes bestowed upon literature what was alone due to the law. W. W. Story, who spent two

years as a student of legal practice in the office of Hillard and Sumner, recounts how the latter would talk to him "by the hour of the great jurists, and their lives, and habits of thought"; telling him, he goes on, "all sorts of interesting anecdotes of great barristers and judges. Hillard and he and I used to talk infinitely, not only of law, but of poetry and general literature and authors, when business would allow—nay, sometimes when it would not allow—but who can resist temptation with such tastes as we all had?"

The intellect and spirit of the young jurist were touched to finer issues than those which are wont to flow from the contentions of individuals over the possession of some material object or interest. His soul hungered for the heavenly manna of noble thoughts, thirsted for the sweet waters of noble living. How, then, could he be satisfied with the wretched food and drink which his profession offered? The practice of the law was accordingly for him always a "tug and sweat"—never a delight. The joy of life streamed over him and through him from other sources, from bright memories of exquisite experiences across the sea, from incomparable friendships at home with their beautiful loves, sympathies, endeavors after the best in the past, the present, and in each other.

Ah! that brilliant band of American scholars and men of letters, how they haunt the pen which is writing this page. What a goodly fellowship they made, Sumner and they! They are all gone now, but have left in the firmament their "trailing clouds of glory." No, not gone, the distant has become the near, for along the "corridors of time" we catch from Sumner glimpses of them as they were, of their fair forms,

accents of their golden voices. Longfellow was at this time writing some of his happiest verses. "The Psalm of Life," "Voices of the Night," "Excelsior"; Prescott was preparing his "Conquest of Mexico"; Bancroft was at work on his great "History of the United States"; Sparks had just published his "Life of Washington"; Greenleaf his first volume on the "Law of Evidence"; Judge Story was struggling with poor health and his treatise on "Partnership"; Horace Mann was beginning his revolution in our common school education; and Dr. Howe was just introducing his system for the education of the blind, and in the act of endowing Laura Bridgman's fingers with faculties of speech, of seeing, and hearing.

With all of these Sumner was intimate, serving each in his labors, rejoicing with each in his successes. Sumner, after his return from Europe, was in fact one of the social lions of the city. The doors of all the best families opened to welcome him, and to shower upon him distinguished attentions. He was perhaps for several years thereafter the most popular young man among the "Brama Caste" of Boston. If he got not the bread of life from the practice of the law, he got it surely from this bright throng of elect spirits and kindred minds. He never tired of them, nor they of him. Sometimes in his office they and he broke together this food of the soul, sometimes he partook of it with them in their several homes. He loved all who were striving after excellence. They were his friends, they were his brothers. It was so with Washington Allston, the artist; with Macready, the actor; Emerson, the philosopher; Phillips, the orator-reformer; Felton, the scholar; Channing, the philan-

thropist ; and, a little later, with Parker, the militant preacher of righteousness. They were all his friends and brothers, giving to and receiving from him love and sympathy, as each in his own way was doing with his might that which was required of him.

If he took no pleasure in the details of professional work, there never was a man who took greater delight in personal service for a friend or the public. No exertion seemed to him too much, no expenditure of time too large to make for friendship's sake, or for the sake of a benefaction or enterprise from which the people were to derive advantage, the citizenship of the country to be elevated, the humanity of the world promoted. An immense love of unselfish, unresting labor was in his heart. It was through his disinterested and persevering efforts that a subscription of \$2,500 was raised for the purchase of Crawford's "Orpheus" for the Athenæum. This good turn was a great and opportune service to the artist, and in another way hardly less so to the city. It was Sumner who superintended the unpacking of the marble masterpiece, and it was he who watched anxiously over it, the mending of it (it was unluckily broken *in transitu*), and the setting of it up so that the interest and genius of his friend might not suffer in the estimation of the public and of the critics.

It was he who went to the help of Horace Mann in the erection of a new normal school-house at Bridgewater, by urging the legislature to make the needed appropriation for this purpose, and when the legislature granted but a half of the required sum, by raising through private subscription and on his personal note the other half.

And when his friend, Moncton Milnes, whom he described as "a Tory who does not forget the people, and a man of fashion with sensibilities alive to virtue and merit among the simple, the poor, and the lowly," was proposing "to introduce into Parliament a measure for private executions . . . and to enforce his recommendation by the example of the United States," to whom should he turn for information but to the young scholar whose heart beat in unison with every good thought, every humane desire for the betterment of his kind, the world over? All classes of the community interested him, had a lien upon his affections and labors. There were none above his intelligent criticism, none beneath his intelligent sympathy. He belonged to his friends, he belonged to the public even then as few men have ever belonged to either or to both.

He took an active interest in the condition of those evil-doers of society, whose conduct has brought them under the displeasure of the State, and who have been committed to the various penal receptacles erected for the detention of their class. Their very helplessness appealed to him for wise and humane treatment. The humanity in him was touched by the humanity of the inhabitants of penal institutions. They were men, men who had, indeed, forfeited for a season, or forever, it may be, their liberties, but not their humanity, not their claims upon our enlightened sympathies and Christian regards. And so he with others pondered how to eliminate the barbarous elements from prison discipline, and to introduce instead a treatment firm and just, without cruelty and vindictiveness. His interest in the subject of Prison

Reform was warm and rational, and his labors in its behalf earnest and efficient.

It was with him during this early period exactly and always as Dr. Howe said in a letter written at this time: "I know not where you may be, or what you may be about; but I know what you are *not* about. You are *not* seeking your own pleasure, or striving to advance your own interests: you are, I warrant me, on some errand of kindness, some work for a friend, or for the public. . . . You ought to be the happiest man alive—or, at least, of my acquaintance—for you are the most generous and disinterested. . . . I love you, Sumner, and am only vexed with you because you will not love yourself a little more."

Men are not happy because they ought to be happy. Human happiness hath no common receipt for its creation, is the product of no regulation, combination of circumstances, but, like the winds of destiny, it comes we know not how, or eludes us we know not why. Sumner, in sooth, ought to have been the "happiest man alive"; but, all the same, he was not the happiest man alive, was, perversely enough, far from this superlative state of felicity. For he was strangely dissatisfied with himself, his progress, and achievements. What had he after all his pursuit of knowledge accomplished? What success had rewarded the enthusiastic study of years to become a lawyer? What tangible thing had he to show for it all, what return of emolument and distinction was he receiving upon the vast capital which he had invested in his profession? Nothing, forsooth, but a few paltry dollars and grinding drudgery. Others, who had

begun with him or since him in the forensic race, without his lofty standard of what a lawyer should be, without his extraordinary legal learning, were leaving him behind in an increasing clientage and the annual money value of their profession and practice. With a lower legal standard, and less legal learning, they had obtained what his endeavors had missed—success. Ah, and what a wizard is success ! How in the eyes of the world it is able to glorify vulgarity and insignificance, cloak crime, piece out incompetency, make ignorance blissful, popularize meanness, cunning, chicanery, and all manner of low and selfish qualities and energies. And what a fiend from the pit is failure ! How it is able to make virtue ridiculous, wisdom contemptible, benevolence eccentric, and genius itself folly. All these wonders can success, as a money-getter, or failure, as a money-getter, perform in the eyes of the children of the nineteenth century. For the children of the nineteenth century worship but one god—the Almighty Dollar—and look with one accord upon Success as its supreme prophet.

And was the universal deity and its supreme prophet affecting Sumner's happiness, working within him a spirit of unrest and discontent at the progress which he was making in his profession ? We think they were. He was ambitious to succeed at the bar. He, too, desired success, to build up a lucrative practice, to be eminent not alone for juridical learning but for forensic eminence as well. Although not at all disposed to deify the root of all evil, he nevertheless, Yankee that he was, entertained a very proper respect for it as a good friend, and

better servant. He heartily desired its company and more of it. And this desire was neither unnatural nor unworthy. It was as it ought to have been, for though the almighty dollar, like fire, makes a bad master, yet it makes, too, an incomparable servant. A good round fee from a client excites emotions of a highly pleasurable character, gratifies two of the most constant and powerful passions of the human mind—the desire for power and the desire for wealth which is at bottom, but a variation of the same thing—the passion for power. This gratification was denied Sumner in any measure proportioned to his great abilities and acquisitions. He was too ambitious to be satisfied with any success which fell short of the first rank in the law. He aimed undoubtedly to reach the top, and to stand with the leaders of the bar. He was not realizing these great expectations—had fallen short of his mark. The sting of ultimate failure, in those regards, and the consequent promise of a second-rate career for him in his chosen profession haunted him; and then, too, perhaps, mingling with these reflections there crept into his thoughts a doubt of himself, of his powers, whether after all he had chosen wisely when he chose the law, whether, in truth, he had the tastes or the talents for its successful practice; such thoughts assailed him where he was most vulnerable, and for a season made havoc of his happiness.

Seeing how it was with him, Sumner became disposed to try the efficacy of a partial change. Like his father, he was ready to abandon a business for which he was not fitted, in favor of a position more to his tastes and better adapted to his talents. This

was no other than the office of official reporter to the Supreme Court at Washington. His friend, the old reporter, Mr. Peters, of Philadelphia, being about to retire, Judge Story consulted Sumner in relation to the appointment, and found him willing to accept the office. The Judge had thoroughly tested his pupil's reportorial ability and had had every reason to be well satisfied with it. Three volumes of Judge Story's decisions, done by Sumner, had issued from the press, the third volume since his return from Europe. They abundantly proved Sumner's qualifications for the higher office, and should have, in connection with the Judge's indorsement, insured him the appointment. All the same, Sumner was not appointed, but another gentleman. Notwithstanding, the position was entirely unsought by him, he was even then strongly of the opinion that the office should seek the man, not the man the office, he felt keenly the failure of the Court to select him. Destiny was not ready to send him to Washington, nor was it in her book to have him there in any such character. But, as destiny does not take her agents into her confidence, but sends them forth into life and its battles with sealed orders, how was the struggling young lawyer to know what was in store for him, whether weal or woe? The future seemed to him unpropitious enough. His disappointment plunged him into deep dejection of spirit. He had crossed into his thirties. The flush of youthful promise was behind him. He was approaching the summer solstice of middle life where promise must ripen into performance, for hard-by lies the autumn of wanng life. If he looked around he saw all his friends in the full tide of

accomplishment. Felton was in Harvard and at the head of classical scholarship in the United States; Longfellow was in Harvard and at the head of the poets of America; Prescott had achieved world-wide fame, and the leadership of American men of letters; Howe was winning golden triumphs in philanthropy; and Phillips had risen to the front rank of the then living masters of popular eloquence. They were all up and doing something, blossom in them had given place to rich fruit, while he was doing nothing, living a barren life. He fell into a state of great gloom and wretchedness, no longer cared to live. Giant despair had him fast enough in his villainous castle, where he has held for a season and seasons the noblest minds in all ages of this sunlit and storm-swept planet of ours.

His friends rallied to his rescue with their sympathy and cheer. Cleveland, one of the "Five of Clubs," the reader will recall, and now under sentence of death, poor fellow, wrote him from Havana: "With you, too, dear Charley, I sympathize and mourn over your disappointment in the hope you had of getting the place which Mr. Peters has vacated. It would have been a delightful office for you, and I had set my heart upon your obtaining it. I am the worst person in the world to preach courage and perseverance in the time of disappointment, and yet I can see as plainly as any one the need there is of them. . . . For you, it seems to me, this heroism is peculiarly necessary; not from anything in your real position in life which renders it so, but because you have come to take sad and gloomy views of life. With your acquirements and fine talents, and with the standing which

you have achieved, the world is open before you in the brightest colors, if you will but see it so. Is all that has been said about the greatness and dignity of your profession a humbug? Is the law a mere string of dull technicalities, or is it a field worthy of the greatest minds? . . . I mourn to see by your letter that you have forsaken society, and that your mind is saddened; because I can see as plainly as the day that there is no need of this."

And Felton thus: "What right have you, dearly beloved Charley, to a heavy heart? Of all the men I have ever known, not one ever had less *real* reason for despondency than you. I told you the other day, at your office, what there was in my heart. There must be something morbid in the views of life which you permit yourself to indulge. . . . To me—and I must think mine a healthier state of feeling—life is a precious gift; and, with all the sufferings which are a part of its condition, something to be cherished with gratitude, preserved with care, devoted to serious duty alternating with social enjoyment and the exercise of the affections; and when the time comes, resigned with submission to the Divine will. . . . Law and literature, in the highest form of both, are your chosen, and should be your fixed, pursuits . . . but they and all secular pursuits are insufficient, if you will, Hamlet-like, brood over the unhealthy visions of an excessive introspection, if you will keep out of the way of the possibility of the best form of human happiness." A little later, Felton remonstrated with him in respect of his disregard of the rules of health, for the state of Sumner's health was beginning to give his friends no little anxiety about this time. "You

must take better care of yourself," wrote Felton. "You must not work at midnight. Arrange your hours better, divide the task among more days, and give the nights to friends and sleep. . . . It is wrong to add to the inevitable sum of illness by heedless and needless exposures, by striding from volume to volume of 'Vesey' 'in the mad boots.' Remember old Chamisso, and be wise."

Howe from Rome added his warning note. He is undisguisedly anxious concerning his best-loved friend, who he has learned is breaking down physically, and who he suspects is nevertheless drawing desperately upon his "capital of health and strength." Scolded the good doctor: "You may be again working hard all day; eating without regard to time, or quality, or quantity; sitting two-thirds of the night, using up the whole stock of nervous power accumulated by one night's sleep, and anticipating that of the next by forced loans; steaming about on your long legs, and running to and from Cambridge, and up and down Boston streets, as if your body were as immortal as your spirit. You may be doing all this, and yet I am none the less uneasy about you. You know or you ought to know, your constitutional predisposition; and that the continuance of your life, more than that of most men, is dependent upon your treatment of yourself. I trust that you have even now abandoned that morbid and unnatural state of mind which made you careless whether you should live or die. . . . All this sermonizing and exhorting will do no good, I suppose; but I have done what I could. And now if you will go on, neglect exercise, neglect sleep, study late and early, stoop over your

table, work yourself to death, grieve all your friends, and break my heart ; for where, dear Charlie, at any time of life, shall I find a friend to love as I love you?"

All this warning, remonstrance, and entreaty fell upon unhearing ears. Their object came not out of his dejection of mind, plunged instead over his eyes in work, turned night into day in the excesses and madness of labor. He became a frequent contributor to the "Law Reporter," undertook to edit Vesey's reports in twenty volumes. The publishers contracted with him for the completion of the edition at a fixed time, which necessitated the production of a volume every fortnight for the printer. The task was not inspiring, involved, indeed, an infinite amount of the drudgery of legal composition. But Sumner was not a man on whom an obligation to do a thing at a certain time could sit lightly. He would do what he undertook, and more, too. And so with the "mad boots" of Chamisso he strode from tome to tome, regardless of sleep, and exercise, and of life itself. Some men take to drink to drown a great sorrow, Sumner took to study and work to lose his. He went on a "regular tear," a furious debauch of labor at this most critical period of his development. On the long legs of his mind, as of his body, he "steamed" from labor to labor by night and by day, indefatigable, unresting, as if his "body were as immortal as his spirit." The thing could not last. He would needs "suddenly break down or up," as Howe put it to him. And he did. At the completion of the fourth volume of Vesey the crash came, which well nigh sent him to an untimely grave.

For long days he hovered between life and death,

nearer at times to death than to life. Almost all his friends gave him up, the doctor gave him up, all hope of his living seemed to have faded in the hearts of his family. His "constitutional predisposition" had come to claim him, for he appeared to be in a swift consumption, "galloping," some called it. Mary, his favorite sister, and a girl of singular beauty of person and sweetness of character, was going the same way. Sumner's grief at her hopeless decline was poignant enough. But for himself he had no care, no wish to live. The restless energies of his mind gave place to extreme passivity and indifference to his fate. And, perhaps, this collapse of the active principle of his intellect and nervous system saved him. In this passive and quiescent state nature took him in hand, stopped the leaks, repaired the ravaged tissues, renewed the vital functions and forces of mind and body. And so it happened that she was taken, and he was left. Slowly and reluctantly he crept back from the grave, and into the strenuous, work-a-day world of the living, to its service, and struggles, and also its triumphs.

Sumner, during these early years, whatever to the contrary may be said of him during later ones, was full of what Matthew Arnold would have called sweetness and light in the relations of life. He was the soul of friendship, amiability, simplicity, and appreciation of the best in everyone with whom he was brought into association. There was then no touch of sternness and arrogance in his temper. The sleeping warrior within him strife had not yet awakened, and, while it slept, the spirit of gentleness and love ordered all his ways, breathed through all his words,

irradiated all his acts. He chided his brother George for a disposition to disparage what was not to his tastes. He had a *penchant* for politics, statistics, and history, and was inclined to undervalue subjects of study other than these, and people, however distinguished, not given to them. "I like to find good in everything," Charles wrote him, "and in all men of cultivated minds and good hearts—thank God!—there is a great deal of good to be found. In some it shows itself in one shape, and in some in another; some will select your favorite themes, while others enjoy ideality and its productions manifold. Let me ask you to cultivate a habit of appreciating others and their gifts more than you do."

Again he goes on, "It is easier to censure than to praise; the former is a gratification of our self-esteem, while to praise seems, with minds too ambitious and ungenerous, a tacit admission of superiority. It is a bane of society, wherever I have known it—and here, in Boston, as much as in London—a perpetual seeking for something which will disparage or make ridiculous our neighbors. . . . I do not boast myself to be free from blame on this account; and yet I try to find what is good and beautiful in all that I see, and to judge my fellow-creatures as I would have them judge me."

And a couple of years later, from a sick couch, he recurred to this sin of censoriousness thus:—"Pardon me if I allude to the 'Galliphobia,' which you observed in our friend Lieber. Did you not see a reflection of your Anglophobia? I think both you and he proceed on a wrong principle. Man is properly formed to love his fellow-man, and not to dislike him.

I have always detested the saying of Dr. Johnson, that ‘he loved a good hater.’ Let me rather say, I love a good lover. From the kindly appreciation of the character and condition of nations and individuals what good influences may arise ! Peace and good-will shall then prevail, and jealousies cease.”

The subject of peace and good-will among nations was now attracting a great deal of his attention and some of his best thought. And the more he looked at the subject, and the more deeply he pondered it, the more barbarous and unnatural appeared the war-spirit which dominated mankind. He himself had had experience of the universal love which was stirring in the universal human heart, and which the evil genius of war was hindering of its reign on earth. In the universal human sympathies and interests, into which he was born again, he felt, doubtless, the foreshadowing of the time of the new birth of peoples, when all men would be brothers in all noble endeavor and in one grand destiny, regardless of country, or clime, or creed, or color. And he yearned to hasten this golden age of humanity, when “the kindly earth shall slumber, lapt in universal law.”

In the summer of 1844, he expressed himself on this topic to his brother George, then in Europe, in no uncertain tone. He denied the necessity for the maintenance of forts and fortifications, touching the world in general and America in particular. Better if the vast wealth, locked up in the military establishments of Europe, were devoted to enterprises of a peaceful character, to the building of railways, the endowment of benevolent institutions, the depletion of poverty and wretchedness among the people. And

for the Union, it had been much better had it spent the public funds in supporting eleemosynary and educational establishments than in imitation of a policy which was a relic of barbarous feelings and practices. The government had just erected a fort at the mouth of Boston Harbor, which, to Sumner, seemed a sheer waste of the wealth expended in its construction. Far otherwise had it been with this immense sum had it been devoted to public charities and schools of learning.

"The principles of free trade," he concludes, "now so generally favored, are antagonists to war. They teach, and when adopted cause, the mutual dependence of nation upon nation. They, in short, carry out among nations the great principle of division of labor which obtains among individuals. It was a common and earnest desire of our statesmen, after the last war, to render our country *independent*, for its manufactures and fabrics of all kinds, of foreign nations. Far better would it be, and more in harmony with God's Providence, if we were dependent upon all nations. Then would war be impossible. As civilization advances, the state of national dependence is promoted ; and even England, at this moment, can hardly call herself independent of the United States." Ah ! it was a noble dream which the young scholar dreamt, and a glorious vision which he saw of human solidarity and commercial interdependence  
"Till the war-drum throb'd no longer, and the battle-flags  
were furl'd

In the Parliament of man, the Federation of the world."

A year later Sumner gave utterance, before the municipal authorities of Boston on the Fourth of

July, to a plea for universal peace which was heard throughout the English-speaking world. For more than sixty years prior to the delivery of the oration on the "True Grandeur of Nations," the city of Boston, on the recurrence of Independence Day, had verified the prediction contained in the imaginary speech of John Adams : "When we are in our graves, our children will honor it. They will celebrate it, with thanksgiving, with festivity, with bonfires, and illuminations. On its annual return, they will shed tears, copious, gushing tears, not of subjection and slavery, not of agony and distress, but of exultation, of gratitude, and of joy." The "copious, gushing tears" had ceased to flow, it is true, but in place of them a sorry substitute for them had come—the copious, gushing periods of callow young orators. Brag was then enthroned and offered divine honors and oblations in the vapid and gaudy mouthing of Mr. Somebody's kid-gloved son, who was incapable of turning the occasion to any timely and serious discussion of public problems. It was a day given up to the reign of Unreason, to the enjoyment of flash rhetoric and "glittering generalities." Men got drunk with them as the toper gets tipsy off bad whiskey and adulterated gin. It was an annual clearing-out day, a clearing-out of all the musty, shop-worn, moth-eaten rubbish, remnants, and accumulations of the American stock of self-conceit and national boastfulness.

Sumner followed not in the beaten common-places of sixty years, when invited to be the orator of the city July 4, 1845, but struck boldly into a wholly untried way. Never since the institution of these an-

nual discourses on Independence Day, it is safe to say, had Boston listened to an address of such surprising character and power, as the one which fell from the lips of Charles Sumner forty-seven years ago. Nothing more earnest and throbbing with humane feeling had been uttered in the ears of city and country on the natal day of the nation, since William Lloyd Garrison delivered his Fourth-of-July discourse in Park Street Church, sixteen years before, on the subject of Slavery. They were both instinct with the spirit of reform, alive in every line with the radicalism of the Golden Rule, and of the founder of Christianity. And it fared with them as it had fared with Jesus eighteen hundred years before. Their auditors would have none of the radicalism of the Golden Rule, but shut themselves tightly within narrow, self-righteous, self-centred ways and inhumanities to man.

It was a great theme which Sumner proposed to discuss, and it is but fact to say that he rose in his extraordinary discourse to the level of its requirements, moral and literary. He pitched high the moral key of the oration, and sustained the lofty tone without a break from exordium to peroration. "In our age there can be no peace that is not honorable; there can be no war that is not dishonorable. The true honor of a nation is to be found only in deeds of justice and in the happiness of its people, all of which are inconsistent with war. In the clear eye of Christian judgment, vain are its victories, infamous are its spoils. He is the true benefactor, and alone worthy of honor, who brings comfort where before was wretchedness; who dries the tear of sorrow; who

pours oil into the wounds of the unfortunate ; who feeds the hungry and clothes the naked ; who unlooses the fetters of the slave ; who does justice ; who enlightens the ignorant ; who enlivens and exalts, by his virtuous genius, in art, in literature, in science, the hours of life ; who, by words or actions, inspires a love for God and for man. This is the Christian hero ; this is the man of honor in a Christian land. He is no benefactor, nor deserving of honor, whatever may be his worldly renown, whose life is passed in acts of force ; who renounces the great law of Christian brotherhood ; whose vocation is blood ; who triumphs in battle over his fellow-men. Well may old Sir Thomas Browne exclaim, ‘The world does not know its greatest men’; for thus far it has chiefly discerned the violent brood of battle, the armed men springing up from the dragon’s teeth sown by Hate, and cared little for the truly good men, children of Love, guiltless of their country’s blood, whose steps on earth have been as noiseless as an angel’s wing.”

In many ways, with amplitudinous scholarship, with illustrations gleaned from the whole field of classical and modern literature, with facts and stories the most apposite and thrilling, marshaled from the wide page of universal history, and recited with masterly skill, with energy, and splendor of diction, too, did the young orator attack his theme, the beauty of peace, and the barbarism of war. “Thus far mankind has worshiped in military glory an idol, compared with which the colossal images of ancient Babylon or modern Hindostan are but toys ; are we, in this blessed day of light, in this blessed land of freedom, are we among the idolators? The heaven-de-

scended injunction, ‘know thyself,’ still speaks to an ignorant world from the distant letters of gold at Delphi. *Know thyself*; know that the moral nature is the most noble part of man, transcending far that part which is the seat of passion, strife, war, nobler than the intellect itself. Suppose war to be decided by *force*—where is the glory? Suppose it to be decided by *chance*—where is the glory? No; true greatness consists in imitating as near as is possible for finite man the perfections of an infinite Creator; above all, in cultivating those highest perfections, Justice and Love, Justice, which, like that of St. Louis, shall not swerve to the right hand or the left; Love, which, like that of William Penn, shall regard all mankind of kin. ‘God is angry,’ says Plato, ‘when any one censures a man like himself, or praises a man of an opposite character. And the Godlike man is the good man.’ And again, in another of those lovely dialogues, vocal with immortal truth: ‘Nothing resembles God more than that man among us who has arrived at the highest degree of justice.’ The true greatness of nations is in those qualities which constitute the greatness of the individual. . . .

*The true grandeur of humanity is in moral elevation, sustained, enlightened and decorated by the intellect of man.* The truest tokens of this grandeur in a State are diffusion of the greatest happiness among the greatest number, and that passionless Godlike justice which controls the relation of the State to other States, and to all the people who are committed to its charge. But war crushes with bloody heel all justice, all happiness, all that is Godlike in man. ‘It is,’ says the eloquent Robert Hall, ‘the temporary

repeal of all the principles of virtue.' True, it cannot be disguised that there are passages in its dreary annals cheered by deeds of generosity and sacrifice. But the virtues which shed their charm over its horrors are all borrowed of Peace ; they are the emanations of the spirit of love, which is so strong in the heart of man that it survives the rudest assaults. . . . God be praised that the Roman Emperor, about to start on a distant expedition of war, encompassed by squadrons of cavalry and by golden eagles which moved in the winds, stooped from his saddle to listen to the prayer of the humble widow, demanding justice for the death of her son ! God be praised that Sidney on the field of battle gave with dying hand the cup of cold water to the dying soldier ! That single act of self-forgetful sacrifice has consecrated the fenny field of Zutphen far, oh ! far beyond its battle; it has consecrated thy name, gallant Sidney, beyond any feat of thy sword, beyond any triumph of thy pen ! But there are hands outstretched elsewhere than on fields of blood for so little as a cup of cold water. The world is full of opportunities for deeds of kindness. Let me not be told, then, of the virtues of war. Let not the acts of generosity and sacrifice which have triumphed on its fields be invoked in its defense. In the words of Oriental imagery, the poisonous tree, though watered by nectar, can produce only the fruit of death."

The oration produced a prodigious sensation, not only among the audience in Tremont Temple, where it was delivered, but in the city also. At the dinner in Faneuil Hall which followed the exercises in the Temple, the orator was subjected to a fusillade of

sharp criticism. The discourse provoked instant and wide attention in this country and in England, and aroused in the former, in particular, vehement approval and disapproval. The demand for it was so great as to exhaust quickly two large editions by the city. Many other editions were subsequently issued by several peace societies in the United States and in Great Britain. Thus it was that the oration obtained an extraordinary circulation, and the orator sudden fame. In truth, the morning after the Fourth, Sumner awoke to find himself famous, to find himself in a place among the then foremost living orators of the land. He had ceased to be a mere scholar and thinker, and had become a man of action, a moral enthusiast as well. The young scholar awoke besides to find himself at the parting of his way from that of the conservative, wealthy, and educated class with which he had theretofore associated in Boston and Cambridge. He had chosen to tread not according to their lead, but in the rugged path of duty instead, and to help humanity thenceforth bear the heavy, murderous cross of her wrongs and woes.

## CHAPTER V.

### HERCULES TESTS THE TEMPER OF HIS WEAPONS.

DURING the earliest years of the slavery agitation, Sumner was too young to take either a very earnest or a very active interest in the subject. When Garrison was in jail in Baltimore, he was in college at Cambridge. And during the next few years he lived, moved, and had his being almost wholly in the bright and stately world of books, far away from the madding crowd of public issues, engrossed in his profession and the companionship of scholars and thinkers. But in 1835, probably directly after the great mob in Boston, which dragged Garrison through its streets, he became a subscriber to the *Liberator*. His father was the sheriff of the county of Suffolk at the time, and strove manfully to rescue the anti-slavery leader from the murderous violence of the rioters. The son's subscription to the *Liberator* was, doubtless, intended to express his decided disapprobation of the mob spirit, and his disposition to resist its encroachments in the interest of slavery upon the liberties and institutions of the North.

A year later, the reader will recall how hotly he resented the indignity received by Samuel E. Sewall at the hands of a baffled slave-catcher, and with what indignation he wrote his law partner, George S. Hil-

lard, from Paris, in relation to the tameness with which the Northern members of Congress allowed themselves to be bullied by Southern representatives, and how rather than submit to it he was ready to dissolve the Union. A month before he sailed for Europe the frightful period of anti-slavery mobs had culminated in the murder of Elijah P. Lovejoy in the far away town of Alton in Illinois. Falling as Lovejoy did, a martyr to free speech and the freedom of the press, the tidings of his assassination thrilled wherever they traveled the free States with horror, aroused in them the keenest apprehensions touching the safety of those safeguards of their liberties. The news of the tragedy reached Boston three weeks before Sumner sailed for Europe. He was in the midst of preparations to this end, and so it is impossible to say how much of his attention it was able to draw to itself. Some, without doubt; but probably not as much as its importance merited. It would seem from one of his letters while abroad that he was unacquainted with the details of the story. And this is not surprising, seeing that on the very day (December 8, 1837) on which he left the country, occurred the great meeting in Boston called to denounce the crime, at which his friend Dr. Channing, his law-partner, Mr. Hillard, and his classmate in the law-school, Wendell Phillips, took leading parts.

There was a decided change in this respect almost immediately after his return to the country in the spring of 1840. If there were other questions agitating the public mind then, it did not take the young scholar long to perceive that the slavery question was of paramount interest in Congress and in the country

at large. More and more it was sucking into its vast vortex the thoughts and feelings of the free as of the slave States. And no wonder, for the slave-power during this time was never more active and aggressive. One had but to look around on the everyday occurrences of the Republic to witness the facts of its fell and determined purpose to extend itself in the nation, to entrench itself in the Government, to build high above every other, the Babel of its heaven-defying pretensions, in the Union.

While England was struggling to abolish the African slave-trade, America, dominated by the slave-power, was throwing her international influence on the other side, opposing with an energy and persistency, worthy of a better cause, the sublime efforts of English philanthropy and statesmanship to rid the world of that terrific scourge of the natives of Africa. In 1841, Great Britain attempted to enlist by treaty, the coöperation of the Great Powers of Europe toward its abolition. Four of these Powers, viz., Great Britain, Austria, Prussia, and Russia declared the trade piracy, and granted to each other a mutual right of search, for the more effective suppression of the traffic. The final refusal of France to do as much was largely owing to the active opposition of America through its diplomatic representatives at Paris and Berlin, General Cass, and Henry Wheaton, so completely subservient had the Federal Government become to the slave-power. And when England, in the determined pursuit of her mighty purpose to put an end to the inhuman traffic, asserted the right of inquiry as to the real character of suspicious vessels sailing under the American flag on the African coast, the whole weight

of the State Department of the "land of the free, and the home of the brave," was thrown, in the interest of Southern slavery, against the English contention.

It was then, perhaps, that Sumner made his first essay, after his return home, against the Lernæan hydra, by maintaining in two able and learned articles, the soundness of the English position of the right of inquiry on the coast of Africa. These articles appeared in the Boston *Advertiser* in the winter of 1842, and received the unqualified indorsement of such jurists as Story and Kent. The latter considered them "as entirely sound, logical, and conclusive," while Judge Story declared that the second of the articles was written "with the comprehensive grasp of a publicist dealing with the general law of nations, and not with the municipal doctrines of a particular country."

Hardly less heinous than the African slave-trade, was the coastwise slave-trade of the United States. All along the American coast, from the Chesapeake to the Gulf of Mexico, this nefarious traffic in men, women, and children, was pursued under the American colors and the protection of the National Government. Of the tens of thousands of human cargoes thus transported, occasionally one would come to grief, for the traders, but joy for the slaves. Several times were slavers stranded in the channel between Florida and the Bahama Islands, the vessels towed into a British port, and the slaves liberated by the genius of universal emancipation. Between the years 1830 and 1835, three such cases occurred in that long and difficult channel. Naturally enough the owners of the slaves were furious at the loss of their property, and, as the coastwise slave-trade was imper-

iled by the proximity of the genius of universal emancipation the whole South was no less furious. The General Government took the matter up and made it the subject of diplomatic correspondence between it and Great Britain, demanding for the owners payment for the slaves so lost. Great Britain did eventually allow the claims upon two of the vessels, stranded on the Bahama reefs and towed into Nassau prior to the abolition of slavery in her West Indian possessions, but for a third vessel which put into Port Hamilton after that act she finally refused to pay, on the principle that slavery could not exist where her law existed. After the emancipation of slavery in the British West Indies, the air in them became too pure for a slave to breathe. Whereat the slave-power took great offense. "The principle set up by the British Government," Mr. Calhoun contended, "if carried out to its fullest extent, would do much to close this all-important channel, by rendering it too hazardous for use. She has only to give an indefinite extent to the principle applied to the case of the 'Enterprise' and the work would be done; and why has she not as good a right to apply this principle to a cargo of sugar and cotton as to the slaves that produce it?"

But the Southern excitement, aroused by the case of the "Enterprise," was comparatively a slight affair to that caused by the case of the "Creole." It seems that the brig "Creole" sailed from Norfolk, Va., for New Orleans, with a cargo of one hundred and thirty-five slaves, in the autumn of 1841. When near the Bahama Islands, nineteen of the human merchandise, under the lead of one of themselves, Madison

Washington, attacked and overpowered the officers and crew, and compelled the captain, who was wounded in the fight, on pain of instant death, to take the vessel into Nassau. This was done, and in due time all of the slaves were, except the "nineteen," liberated, and the liberation of these followed subsequently upon the receipt of instructions from the English Foreign Office, in London, by the authorities on the island.

In the struggle on the "Creole" between the nineteen slaves and the crew, one of the passengers, a slave-trader, was killed, and the captain, first mate, and ten of the crew were wounded. The nineteen conspirators acted with singular moderation. What they did, they had plainly done only to obtain their freedom. The lives of all the whites on board were spared, after the capture of the brig, and there was no disposition manifested to interfere unduly with the property or persons of their prisoners. But for all that the South set up at once the cry of "mutiny and murder on the high seas," and this cry was immediately echoed by its mouthpiece the National Government, through Daniel Webster, then Secretary of State. To Mr. Calhoun the administration did not display sufficient alacrity in looking after the property interests of its Southern masters: "He had not doubted but that a vessel had been dispatched, or some early opportunity seized for transmitting directions to our Minister at the Court of St. James, to demand that the criminals should be delivered to our Government for trial; more especially, as they were detained with the view of abiding the decision of the Government at home. But in all this he had been in

a mistake. Not a step has been yet taken—no demand made for the surrender of the murderers, though the executive must have been in full possession of the facts for more than a month.” This was by way of snapper to his whip, of which he was giving the Northern Secretary of State a premonitory taste. Then the slave-champion proceeded to argument. He did not doubt that “this was mutiny and murder, committed on the ocean, on board of one of our vessels, sailing from one of our ports to another on our own coast, in a regular voyage, committed by slaves who constituted a part of the cargo, and forcing the officers and crew to steer the vessel into a port of a friendly Power. Now there was nothing more clear than that, according to the laws of nations, a vessel on the ocean is regarded as a portion of the territory of the State to which she belongs, and more emphatically so, if possible, in a coasting voyage ; and that, if forced into a friendly port by an unavoidable necessity, she loses none of the rights that belong to her on the ocean.”

When the ponderous brain of the orator of the two-hundredth anniversary of the landing of the Pilgrims at Plymouth, did, however, take up the subject, “the apparent indifference” to the slave interests of the glorious Union, which Calhoun professed to discern in the Premier’s long delay in demanding “that the criminals should be delivered to our Government for trial,” was speedily and altogether dissipated by the pro-slavery character of the dispatch sent by him to Edward Everett, then our minister to Great Britain. And, by the way, the Secretary could not have possibly selected a more thoroughly loyal representative of

the slave-power than was this same Edward Everett, who once unblushingly declared on the floor of Congress that though a scholar and no soldier, "there is no cause in which I would sooner buckle a knapsack on my back and put a musket on my shoulder than that of putting down a servile insurrection at the South."

"The British Government cannot but see that this case as presented in these papers," so ran Mr. Webster's dispatch to Mr. Everett, "is one calling loudly for redress." For the "*Creole*" was "lawfully engaged in passing from port to port in the United States. By violence and crime she was carried against the master's will, out of her course, into the port of a friendly Power. All was the result of force. Certainly, ordinary comity and hospitality entitled him to such assistance from the authorities of the place as should enable him to resume and prosecute his voyage and bring the offenders to justice. But, instead of this, if the facts be as represented in these papers, not only did the authorities give no aid for any such purpose, but they did actually interfere to set free the slaves, and to enable them to disperse themselves beyond the reach of the master of the vessel or their owners. A proceeding like this cannot but cause deep feeling in the United States." The letter left nothing unsaid, with which even an exacting slave-champion like Calhoun was able to find fault. On the contrary, it gave him keen satisfaction and elicited his admiration and approval, as covering "the ground which had been assumed on this subject by all parties in the Senate" with great ability.

But if Webster and Everett were disposed to range

themselves, as servitors of slavery in respect of this case, their young compatriot, Sumner, was not at all so inclined. He took remarkable interest in the subject, and traversed earnestly and ably the pro-slavery positions of the former's letter, which evoked Calhoun's admiration and approval. "In the first place," he wrote Jacob Harvey, "England cannot deliver up the slaves who are not implicated in the mutiny and murder by which the government of the ship was overthrown. She has laid down a rule not to recognize property in human beings since the date of her great Emancipation Act. The principle of this is very clear. She will not in any way lend her machinery of justice to execute foreign laws which she has pronounced immoral, unchristian, and unjust. It is common learning among jurists, that no nation will enforce contracts or obligations of an immoral character, even though not regarded as immoral in the country where they were entered into. . . .

"Next, as to the slaves, participants in the mutiny and murder. Their case is not so clear as that of the others ; but, nevertheless, sufficiently clear to enable us to see the way of settlement. And, first, I am inclined to believe—indeed, I entertain scarcely a doubt—that they became *freemen* when taken, by the voluntary act of their owners, beyond the jurisdiction of the slave States. Slavery is not a national institution ; nor is it one recognized by the law of nations. It is peculiar to certain States. It draws its vitality from the legislation of those States. Now, this legislation is, of course, limited to those States. It is not extra-territorial in its influence. Our New England courts have decided that a slave coming to

our soil by the consent of his master—as, for instance, a servant—becomes entitled to his freedom. The invigorating principle of the common law manumits him. It is not so, however, with a fugitive slave. And why? Because the Constitution of the United States has provided for his surrender; but the case of a fugitive slave is the only one provided for. The courtier of Queen Elizabeth said that the air of England was too pure for a slave to breathe in. I will say that the air of the ocean is too pure for slavery. There is the principle of manumission in its strong breezes, at least when the slave is carried there by the voluntary act of his owner. If I am correct in this view, these slaves were remitted to their natural rights. They were justified in overthrowing by force (not mutinous or murderous, because justifiable) any power which deprived them of their liberty. In doing what they did, therefore, they have not been guilty of any crime. They are in the same situation with the others who did not participate in the alleged murder.

“But, in the next place, suppose we are wrong in this view; suppose they were not justified in rising, as they did; suppose, in short, that they have committed the crime of murder under our laws; still, I say, England will not be obliged to give them up. The crime will be piracy by statute, and not by the law of nations. Now, it is perfectly clear by the law of nations—and no nation has acted upon this rule more than the United States—that no government can be called upon to surrender persons who have offended against the municipal laws of another government. It is, of course, within the discretion

of a government to surrender such offenders, but it is no just cause of complaint that a government refuses to exercise this discretion. There can be no doubt that England will refuse to exercise it."

Webster's dispatch was one of the first proofs of his consent to wear the collar of the slave-power in his uncurbed and insane ambition to be President. It gave Sumner great offense, and he was sternly outspoken against its sophistry and its "paltry, uncertain, shifting principles." Indeed, so marked was his condemnation of the letter of the Secretary, that to George Ticknor he seemed the only person met by him who disagreed strongly with it. But for all that, Sumner was not the only person who was vehement against it. Many others were vehement against it likewise, and among these was Dr. W. E. Channing, with whom Sumner was on terms of intimacy. The doctor felt so warmly on the subject that he published a pamphlet in reply to Mr. Webster's pro-slavery dispatch. Sumner took the most lively interest in the pamphlet, which the author read to him in manuscript, and submitted later, when set up in press, the proofs of it for his critical assistance and suggestions. The young scholar rejoiced that "such a voice was to be heard in the country, and to cross the sea." To his brother George he wrote on All Fools Day of 1842: "Dr. Channing has put forth a glorious pamphlet on the 'Creole,' in reply to Webster's sophistical dispatch. One feels proud of being a countryman of Channing. His spirit is worthy of the Republic, and does us honor abroad. His is a noble elevation, which makes the pulses throb." Over against this "noble eleva-

tion" was seen Webster's sensibly diminishing moral stature, when, if ever a man had the making of a God within him, it was he before he had indentured his great intellect to the service of slavery and self.

Writing to his brother George in the autumn of the same year, he contrasts Webster and Channing thus : " Who excels, who equals Webster in intellect ? I mean in the mere dead weight of intellect. With the moral elevation of Channing, he would become a prophet. Webster wants sympathy with the mass, with humanity, with truth. If this had been living within him, he never could have written his ' Creole ' letter. Without Webster's massive argumentation, Channing sways the world with a stronger influence. Thanks to God, who has made the hearts of men respond to what is elevated, noble, and true ! Whose position would you prefer—that of Webster or Channing ? I know the latter intimately, and my admiration of him grows constantly. When I was younger than I am now, I was presumptuous enough to question his power. I did not find in him the forms of logical discussion, and the close, continuous chain of reasoning, and I complained. I am glad that I am wise enough to see him in a different light. His moral nature is powerful, and he writes under the strong instinct which this supplies ; and the appeal is felt by the world."

Sumner, doubtless, little dreamt that he himself possessed that very quality which Webster wanted, and which was to make him what that great man for lack of it could not be—a prophet. But of himself, as having a leading part to play in the politics of the country, he thought not in those days. He was

aware of but one thing then—the increasing power of slavery, and in himself of an increasing hatred of that power. It was more and more becoming intolerable to his freedom-loving spirit. "The question of slavery is getting to be the absorbing one among us," he wrote his brother; "and growing out of this is that other of the Union. People now talk about the value of the Union, and the North has begun to return the taunts of the South." And herein again was he the opposite of Webster, to whom the "glorious Union" was the Be-all and the End-all, and for whose preservation he was disposed to make any sacrifice of the claims of freedom and humanity. To Sumner, on the other hand, the value of a Union, dominated by the slave-power, did not appear so priceless. There were some things upon which he placed a higher value and which he would not pay to preserve it. And these were his own self-respect, and the self-respect of the free States, together with those selfsame claims of freedom and humanity, which Webster was willing to offer up on the altar of the dear Union.

The violent scenes in Congress, which were enacting at this time, he watched with boiling blood and blazing eyes. John Quincy Adams was making his never-to-be-forgotten fight for the right of petition, under the very paws, within the very jaws of the slave-power. Whoever else of the Northern Representatives chose to wear the collar of the national tyranny, to cringe and crawl between its cruel limbs, to grow pliant and submissive under its brutal blows, not so did John Quincy Adams choose. Threats he answered with defiance, blow with blow, beating

back and beating down with the iron flail of magnificent powers the rage of his foes. The brave old Spartan planted himself in this pass of freedom, this Thermopylæ of the free States, and withstood for almost a dozen years the Persian flood of the slave despotism in Congress.

It made no difference to the veteran statesman what the prayer of the petition was, or from whom emanating, whether for the abolition of slavery or against its abolition, or for the dissolution of the Union, whether from slaves or freemen, it was all the same, if forwarded to him, he presented it unterrified by the tempest which its presentation aroused about his head. The right he held sacred, inviolable, God-given, to be maintained regardless of cost and under all circumstances.

In the winter of 1842, the heroic old man, true to his principles and purposes, presented a petition, signed by Benjamin Emerson and forty-five other citizens of Haverhill, Mass., praying for the immediate adoption of measures for the peaceable dissolution of the Union. This brave act brought the slave-holding hornets in swarms about his devoted head. A resolution of censure was introduced in the House against him, and supported by the most passionate strains of Southern eloquence. But, single-handed, Adams met and threw back the flood. In close, hand-to-hand encounters he has, perhaps, never been equaled in our parliamentary history, certainly never surpassed. Quick and ferocious in thrust and retort, he was the terror of the South in debate. He was so now, driving home with savage strength tomahawk and knife into the foes who ventured

within reach of either, until, baffled and defeated, they slunk back with their resolution of censure, leaving the venerable ex-President in the possession of his position overlooking the right of petition.

Six years before, the slave-power in the House, unable to bully him into compliance with its behests in respect of anti-slavery petitions, had adopted its gag-rule: "That all petitions, memorials, and papers touching the abolition of slavery, or the buying, selling, or transferring slaves, in any State, or District, or Territory of the United States, be laid on the table without being debated, printed, read, or referred, and that no action be taken thereon." In the interest of slavery thus ruthlessly were the right of petition, and the freedom of debate of the North struck down in the Halls of Congress.

Although not approving entirely of Mr. Adams's manners in debate, Sumner nevertheless felt for the grand old champion of the right of petition the most ardent admiration and sympathy. Writing to Dr. Lieber at Columbia, S. C., in relation to the attempt of Southern Congressmen to censure Mr. Adams for presenting the Haverhill petition praying for the dissolution of the Union the young jurist said: "I still stick to Adams; I admire the courage and talent he has recently displayed, and the cause in which they were exerted. I object most strenuously to his manner, to some of his expressions and topics, as unparliamentary, and subversive of the rules and orders of debate. These are among the great safeguards of liberty, and particularly of freedom of speech. . . . One of the worst signs at Washington is the subversion of these rules. No personality is too low for

that House; and Mr. Adams erred very much when he spoke of the puny mind of the gentleman from Kentucky, and when he alluded to his intemperance. . . .

"But still I stick to Adams. His cause was grand. If I had been in the House, I should have been proud to fight under his banner. He has rallied the North against the South; has taught them their rights, and opened their eyes to the 'bullying' (I dislike the word as much as the thing) of the South. I wish *you* could extricate yourself from that coil."

It was exactly as Sumner said, no personality was too low for that House—the Southern portion of it. But subsequent Houses did not stop at personalities, descended, in fact, to other and yet more brutal methods of debate. Here is an instance, illustrative at once of the iniquitous exactions and violence of the slave-power in the Government: Joshua R. Giddings, surpassed only by the "old man eloquent," in those early days in Congress in opposition to the arrogance and aggressions of the South, is upon his feet in the House, which is drawing near the end of its session, in 1845. He is making a telling exposé of the selfishness of the slave-power, and of the subserviency of the Government to its interests, citing as an example of the truth of his charge the case of the treaty of Indian Spring, by which the Government not only paid \$109,000 to the slaveholders of Georgia for slaves who had escaped to Florida, but added to it the further sum of \$141,000 as compensation for "the offspring which the females would have borne to their masters had they remained in bondage." Congress actually paid that sum, the orator stingly

observed, "for children who were never born, but who might have been if their parents had remained faithful slaves."

Upon hearing this wretched chapter of the misdoings of the slave-power rehearsed, Southern members went beside themselves with rage and flung fast and furious at the dauntless Ohioan coarse and vituperative replies. E. J. Black, a member from Georgia, specially signalized himself in this respect, to whom Giddings made a scathing retort. Thereupon there occurred this extraordinary scene which is taken from Wilson's "Rise and Fall of the Slave-Power in America": "Mr. Black, approaching Mr. Giddings with an uplifted cane, said: 'If you repeat those words I will knock you down.' The latter repeating them, the former was seized by his friends and borne from the hall. Mr. Dawson, of Louisiana, who on a previous occasion had attempted to assault him, approaching him, and, cocking his pistol, profanely exclaimed: 'I'll shoot him; by G—d I'll shoot him!' At the same moment, Mr. Causin, of Maryland, placed himself in front of Mr. Dawson, with his right hand upon his weapon concealed in his bosom. At this juncture, four members from the Democratic side took their position by the side of the member from Louisiana, each man putting his hand in his pocket and apparently grasping his weapon. At the same moment Mr. Raynor, of North Carolina, Mr. Hudson, of Massachusetts, and Mr. Foot, of Vermont, came to Mr. Giddings's rescue, who, thus confronted and thus supported, continued his speech. Dawson stood fronting him till its close, and Causin remained facing the latter until he returned to the Democratic side."

It was such plantation manners and outrageous excesses of the South in Congress, which were forcing people like Sumner to think and talk more and more of the value of Webster's "glorious Union" of Northern freemen with Southern slaveholders.

Sumner heartily approved of the anti-slavery resolutions offered by Mr. Giddings in the House, asserting the freedom of the slaves on board the "Creole" under the Constitution, and for which he received the censure of the House. "Thank God!" exclaimed the young jurist in this connection, "the Constitution of the United States does not recognize men as *property*. It speaks of slaves as *persons*. Slavery is a *local* institution, drawing its vitality from State laws; therefore, when the slaveowner voluntarily takes his slave beyond the sphere of the State laws, he manumits him. . . . But suppose it were not true in point of Constitutional law, still Mr. Giddings had a perfect right to assert it; and the slaveholders in voting to censure him, have sowed the wind. I fear the reaping of the whirlwind."

Another aspect of the subject of slavery, Sumner had occasion to think and write upon in the winter of 1843. During the visit of his friend, Lord Morpeth, to the United States in 1842, Mrs. Maria Weston Chapman requested of him a contribution to *The Liberty Bell*, the little paper published by her every year as a sort of souvenir of the Anti-Slavery Fair of which she was, on the authority of James Russell Lowell, "the coiled-up mainspring." Lord Morpeth declined to discuss the question of American slavery on the ground that he was a foreigner. Whereupon the *Advertiser* undertook to read Massachusetts a lec-

ture on the impropriety of her citizens doing what the British nobleman's foreign citizenship had withheld him from tampering with. Sumner took the matter up and replied, in a cogent article, to the contention of that paper: "First, that the opponents of slavery in the free States direct their exertions politically against this institution in States to which they are foreigners; and, second, that slavery is not an evil within the jurisdiction of the free States, or of the United States, of which the free States are a part." Both of these assumptions, Sumner vigorously attacked, and thoroughly exposed the fallacies upon which they rested:

"The opponents of slavery in the free States recognized the right of all States to establish," he maintained, "within their own borders, such institutions as they please; and they do not seek, either through their own Legislatures or through Congress, to touch slavery in the States where it exists. But while they abstain from all *political* action on these States, they do not feel called upon to suppress their sympathy for the suffering slave, nor their detestation of the system which makes him a victim. To do this would be untrue to the precepts of our religion, and to the best instincts of our nature." Then he disposes of the second assumption by pointing out particular cases to the number of nine, such as slavery in the District of Columbia, in the national Territories, in the trade between the States, on the high seas under the national colors, in the national Constitution, etc., etc., wherein the evil was "distinctly within the jurisdiction of the United States, of which the free States are a part."

"After this survey," he concludes, "it will be difficult to see how it can be said that the people of the free States are *foreigners*, so far as slavery is concerned; or that they are laboring to produce an effect, without the shadow of right to interfere. On the contrary, the subject is in many respects directly within their jurisdiction. Upon the North as upon the South, rests the sin of sustaining it. The Supreme Court of Massachusetts, in an elaborate judgment, has pronounced it contrary to the law of nature. The denunciations of the first moralist of the age, and the pictures of one of the first poets of the age, have marked it with the brand of shame. More than these; the conscience of every right-minded man proclaims that it is contrary to the golden rule of justice. How, then, can we sustain it?"

Among the instances enumerated by Sumner, in which the free States stood in intimate domestic relations to Southern slavery, were the "laws of slave States affecting the liberty of free colored persons, citizens of and coming from, Northern States." These laws, in two States in particular, viz., South Carolina and Louisiana, were flagrant violations of the Constitutional provision guaranteeing that, "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." The nullification of the Constitution in that regard operated with peculiar hardship in the case of Massachusetts and of her colored citizens, many of whom formed a part of her merchant marine service, and who in the regular course of trade on the Atlantic seaboard, had occasion to enter with their vessels at Charleston and New Orleans to discharge and receive cargoes. But

the moment that ships having colored seamen on them entered at those ports, they were immediately boarded by the local police who seized and carried off all of the colored servants and locked them up in work-houses and jails until their vessels were ready to sail, when they were released and allowed to rejoin them. Thus were Massachusetts merchants and shipowners deprived by the laws of sister States of labor which legally belonged to them, and Massachusetts colored citizens of rights and immunities guaranteed to them by the Constitution of the United States.

Such gross wrongs and outrages Massachusetts was not at all inclined to endure meekly and non-resistantly, for the sake even of the dear Union. She loudly protested against them, and through her representatives in Congress brought them to the notice of that body. A committee of the House investigated the subject, and Robert C. Winthrop, a member of it made an able report in which he "put the argument of the Northern States," according to Sumner, "with unanswerable force and distinctness." Nothing however was done by Congress to redress the grievances of the Northern States, or to vindicate the national compact, as the supreme law of the land. Massachusetts' merchants and colored seamen continued to be deprived in Southern ports of privileges and immunities guaranteed to them by the Constitution of the country.

When Massachusetts at length became convinced that she could get neither from Congress nor from the South redress of her wrongs, she determined, as a last resort, to despatch agents to Charleston and New Orleans for the purpose of protecting her citizens

against the violations of their rights in those cities. These agents were instructed to obtain and transmit facts in relation to the imprisonment of her colored seamen, and to test by one or more actions the legality of the local laws by which they were distrained of their liberty.

It was in the year 1844 that, in pursuance of her resolution, Massachusetts sent Samuel Hoar and Henry Hubbard on this mission into South Carolina and Louisiana, the former to reside at Charleston, and the latter at New Orleans. But no sooner had these worthy gentlemen arrived at the end of their respective destinations, and communicated to the proper authorities their official characters and objects, than they found themselves the recipients of attentions, which, in sooth, they had not counted upon receiving at the hands of the people among whom they were commissioned to reside. Judge Lynch, they were not long in discovering, exercised in Charleston and in New Orleans original and appellate jurisdiction in all matters relating to slavery, and to such accredited agents or "emissaries" as were themselves. A decree of this puissant functionary they presently saw was the supreme law of the land in which they were appointed to dwell. They had supposed, notwithstanding sundry suspicious circumstances and occurrences to the contrary, that the Constitution enjoyed this dizzy distinction and eminence. But that, alas! was an illusion which their experiences rudely and abruptly dispelled. They were made aware in ways not to be mistaken that their society was not wanted, and that the sooner they took themselves out of the cities where they were

appointed to reside, the greater would be their chances of getting back alive or uninjured to their homes in the Bay State. Judge Lynch had issued a decree of expulsion against them, and from his honor's decree there was no appeal in a Southern community. And so Messrs. Hoar and Hubbard, unable to resist, bowed reluctantly to the inevitable, and returned to Massachusetts, soberer and far wiser than when they left her. Soberer and far wiser was Massachusetts also in regard to her rights where they came into collision with the slave interests of the South. She had apparently none which that section was bound to respect.

In this subject of the imprisonment of colored seamen, Sumner took great interest. Replying to inquiries, addressed to him by Mr. Winthrop touching this question, he wrote a capital letter, discussing at length and with much learning and force the civic status of the free colored people of Massachusetts under the Federal Constitution. He demonstrates that they are citizens, and that the full measure of their "privileges and immunities" in Massachusetts constitutes the exact sum to which they are entitled in the several States. "It is idle to reply," concludes his admirable argument, "that free blacks, natives of South Carolina, are treated to imprisonment and bondage. The Constitution of the United States does not prohibit a State from inflicting injustice upon its own citizens. As the Duke of Newcastle said, with regard to his rotten boroughs, 'Shall we not do what we will with our own?' But a State must not extend its injustice to the citizens of *another* State. Unfortunately, the poor slave of South Caro-

lina and the free blacks, natives of that State, are *citizens* thereof: they owe it allegiance, if a slave can owe allegiance. Of course, they have no other power under heaven, from whom to invoke protection. But the free negro, born in Massachusetts and still retaining his domicile there, wherever he finds himself, may invoke the protection of his native State."

As early as 1843, Sumner had come to entertain a decided repugnance to caste prejudice, the cruel offspring of slavery. Writing to John Jay in acknowledgment of the receipt of his pamphlet on "Caste and Slavery in the Church," he observes: "Is it not strange that the Church, or any body of men upon whom the faintest ray of Christianity has fallen, should endeavor to exclude the African, 'guilty of a skin not colored as their own,' from the freest participation in the privileges of worshiping the common God? It would seem as if prejudice, irrational as it is uncharitable, could no further go. Professing the religion of Christ, they disaffirm that equality which He recognizes in all in His presence; and they violate that most beautiful injunction which enfolds so much philanthropy and virtue,—'Love thy neighbor.' . . . The Catholic Church is wiser and more Christian. On the marble pavements of their cathedrals all are equal; and this church invites the services of all colors and countries. While in Italy, it was my good fortune to pass four days at the Convent of Palazzuola, on the margin of the Alban Lake, not far from the supposed site of Alba Longa. Among the brethren of this convent was an Abyssinian, very recently arrived from the heart of Africa,

whose most torrid sun had burned upon him. To one accustomed to the prejudices of color which prevail in America, it was beautiful to witness the freedom, gentleness, and equality with which he mingled with his brethren. His dark skin seemed to give him an added interest in their eyes, over his great claim as a stranger and brother."

In the autumn of 1845, true to his anti-caste creed, and his then cardinal moral and political principle of the *Equality and Brotherhood of Man*, he declined to lecture before the Lyceum at New Bedford on account of its refusal to admit colored people to the lectures on an equal footing with white people. "One of the cardinal truths of religion and freedom," he wrote to the committee "is the *Equality and Brotherhood of Man*. In the sight of God and of all just institutions the white man can claim no precedence or exclusive privilege from his color. It is the accident of an accident that places a human soul beneath the dark shelter of an African countenance, rather than beneath our colder complexion. Nor can I conceive any application of the Divine injunction, Do unto others as you would have them do unto you, more pertinent than to the man who founds a discrimination between his fellow-men on difference of skin." . . . "In lecturing before a Lyceum which has introduced the prejudice of color among its laws, and thus formally reversed an injunction of highest morals and politics, I might seem to sanction what is most alien to my soul, and join in disobedience to that command which teaches that the children of earth are all of one blood. I cannot do this." After this brave rebuke the Lyceum did presently

rescind its proscriptive rule, whereupon Mr. Sumner lectured on its platform.

Slavery had indeed as many heads as the fabled Lernæan hydra, and the prejudice of color was one of its crudest manifestations in the free States. Almost universally the free people of color, in those States, were treated as something less than human. In Church and State, by the highest and lowest classes, they were looked upon as objects, whom to touch socially, was degradation and defilement of the vilest character. They were pariahs whom the meanest members of society were too high and mighty to recognize as men and brothers. They were the poor outcasts whom thieves had beaten and stripped of their human heritage and left helpless in the highway of the Republic, and whom the priests and Levites of the American Church and State were passing by on the other side. But Sumner, the good Samaritan, did not so, but with Garrison, Phillips, and the anti-slavery remnant of the North, was trying to bind up their wounds, and seeking to restore to them that which the inhumanity of America had wrested from them.

Plainly the slavery question was attracting Sumner's attention more and more, taking possession of his time and thoughts, impelling him irresistibly away from his scholarly seclusion and pursuits into the *open*, where was raging the irrepressible conflict between Right and Wrong. Was Right in dire need, and calling for help? Then it was not for him to be indifferent or neutral in such a struggle. More and more frequent, therefore, were his rallies to her succor, and longer and yet more long did he remain

fighting by her side. There now began to glow and flame within him a new, great purpose, a new, moral earnestness and enthusiasm. Hercules, ready for battle, was on his way to attack the Lernæan hydra.

## CHAPTER VI.

### THE LERNÆAN HYDRA.

THE slavery question in the United States in the year 1845 transcended in public interest all other questions. It was the one all-absorbing, all-over-shadowing subject in the Union. There was no citizen, however obscure, in the North or in the South, but was sucked into the maelstrom of the agitation in this year of grace ; there was none so high and powerful who escaped its tremendous moral and political suction and gravitation. All the intelligence, all the conscience, all the greed for power, all the sectional jealousies and antagonisms between the slave-holding and the non-slave-holding halves of the Republic, all the love of liberty and all the love of slavery rushed together in the storm of passion which the movement for the annexation of Texas aroused in the land.

Sixteen years before, William Lloyd Garrison was persecuted and imprisoned by Maryland justice for writing disrespectfully of a fellow-townsman of his, Francis Todd, whose ship had taken a cargo of slaves from Baltimore to New Orleans. Fourteen years before the Texas agitation, he, the aforesaid Garrison, had started the *Liberator*, and launched the anti-slavery reform at the same time upon the attention of the country. Since that event, a marvelous change

had passed over every part of the nation in relation to the subject of slavery. The small but aggressive sect of Garrisonian Abolitionists, with their doctrine of immediate emancipation, and their stern denunciations of slave-holding as robbery, murder, and "the sum of all villainies," had effected an almost instant transformation in the state of public opinion at the South. Not only were Southern interests and institutions held up to public odium by the Abolitionists, but Southern character as well. It is not in human nature to be indifferent to such treatment. It drove the South wild with fear and indignation. That section metaphorically foamed with excitement, lost all self-control, and plunged into excesses of rage, which are explicable alone on the ground that it had suffered a sudden aberration of reason and common sense. It put a price on the heads of leading Abolitionists, issued bulls against the circulation of Abolition publications within its limits, subjected the mails to a tyrannous and irresponsible censorship, and individuals to outrageous surveillance and barbarous abuse.

The Constitutional provision which guarantees to "the citizens of each State all privileges and immunities of citizens in the several States," was everywhere reduced to a nullity in the slave States. Northern men were presently regarded and treated precisely as though they were aliens and enemies instead of fellow-citizens of a common country. To travel through the South became for persons from the North, within a surprisingly brief space after the inauguration of the moral movement against slavery, as hazardous an undertaking as would have been for them a pas-

sage across territory belonging to a foreign and hostile power. Interstate intercourse and communication were increasingly discouraged and obstructed. The slave section drew itself more and more aloof from its free sister, and raised higher and higher about itself insurmountable social barriers.

To these signs of violent disintegration no man in his senses could long remain blind. The slavery agitation had started into alarming activity in the South the anti-Union-making forces of our federal system of government. Therefore all those material interests and habits of mind in the free States which had grown up around the Union took fright, and sought to check the progress of these anti-Union forces in the South by repressing the anti-slavery movement at the North. The anti-slavery movement was certainly not productive of domestic harmony. On the contrary, it was proving itself, as we have seen, a prodigious promoter of domestic discord. From the beginning, this feature of the reform aroused against it the powerful Union feeling of the Northern section.

Attachment to liberty was with that section a much weaker motive of action than attachment to the Union. Its opposition to slavery was largely due to the fact that slavery had operated in the general Government adversely to its interests, political and industrial, rather than through sympathy for the slave, or antagonism to the master-class as such. American liberty it ever was, not human liberty, which possessed the charm to stir the Northern blood. And this particular notion of liberty included, among other things the well understood American Constitutional right

of holding the African race in bondage, free from Federal interference or interstate intermeddling.

Under these circumstances and in this highly legal, if not highly moral view of the situation, the two sections were in perfect accord in respect of the pernicious and unpatriotic character of Garrisonian Abolitionism, and of the important consequences which depended upon its suppression. But where public opinion ends, and legislative action begins, there the point of coincidence between the two halves of the Union vanished, and sharp lines of divergence appeared. Owing to its peculiar social and political media, the South was able to translate its public opinion against the agitation into harsh and precipitate legislation. Quite the reverse was, however, true of the North. Its social and political media trammeled and pulled it back from the enactment of similar repressive measures.

The disposition was, indeed, in many instances, strong to do likewise, but there was a difficulty, of which Calhoun gives this sharp account, in 1836 : "The Legislatures of the South, backed by the will of their constituents, expressed through innumerable meetings, have called upon the non-slave-holding States to repress the movements made within the jurisdiction of those States against their peace and security. Not a step has been taken ; not a law has been passed or even proposed ; and I venture to assert that none will be, not but what there is a favorable disposition toward us in the North, but I clearly see the state of political parties there presents insuperable impediments to any legislation on the subject. I rest my opinion on the fact that the non-slave-holding States,

from the elements of their population are, and will continue to be, divided and distracted by parties of nearly equal strength, and that each will always be ready to seize on every movement of the other which may give them the superiority without regard to consequences as affecting their own States and much less remote and distant sections."

The failure of the North to adopt the prohibitory legislation demanded of it added fresh fuel to the hot anger burning against it in the South. Calhoun's interpretation of this failure did not mend matters. It tended rather to deepen a fast-growing conviction in the slave States of the incompatibility of their interests with those of the free States, and to produce as a result, increased activity of the principle of division, widely in operation there. A disposition to think and speak in unison with them on the slavery question was not enough to satisfy the slave States. They called upon the North through their Legislatures and "innumerable meetings" to act in unison with them in putting down the Abolitionists. But this, according to Calhoun, and as a matter of fact, the North could not possibly do, however strong might be its inclination in that regard.

It was the same with the controversy over the right of petition. The representatives of the free States in Congress were desirous, even eager to oblige the South on the point. They were ready to go, and did actually go, great lengths to convince that section of their disapprobation of the animus and prayers of the Abolition petitions. But there were fixed limits beyond which they did not venture to step. The Southern extremists, under the lead of Calhoun,

proposed to reject the objectionable petitions, without first receiving them. Yet such a "Northern man with Southern principles" as was James Buchanan, then a Senator from Pennsylvania, shrank from offending the sensibility of his constituents by lending the proposition his indorsement. First receive and then immediately reject was as harsh a disposition of the subject as the exigencies of political parties at the North would warrant. This attempt to occupy two stools proved unsatisfactory to the South. Calhoun hotly denounced the compromise suggestion of Mr. Buchanan as "a mere piece of artifice to juggle and deceive." "I intend no disrespect to the Senator," he directly apologized, "I doubt not his intention is good and I believe his feelings are with us; but I must say that the course that he has intimated is, in my opinion, the worst possible for the slave-holding States." And so, in spite of the pro-slavery intentions and feelings of the North, the two sections were pulling fatally apart. The Southern way was manifestly not the Northern way. The free States could not travel the same road with their slave sisters without stumbling upon sectional differences and causes of strife.

Another circumstance, growing out of the movement against slavery, produced somewhat similar results. The circumstance referred to was the attempt to suppress Abolitionism in the free States, by mob-law. Shut off by causes, which we have indicated, from the enactment of repressive measures against the agitation of the subject of slavery within its jurisdiction, the disposition of the North was, nevertheless, so good to place itself in accord with the

South under that head, and its hostility to the Abolitionists so passionate that in many localities attempts were made to accomplish by popular violence what was denied through State legislation. But these attempts to abolish Abolition in the free States threatened to abolish along with it law and order. This unexpected danger to the civil establishment and vested interests excited presently in those States the greatest apprehensions, while this rising concern created in time a public sentiment opposed to lawlessness.

The ideal and the goal of the free States had ever been a government of laws, not a government of men, much less one of mobs. The Anglo-Saxon self-control and respect for law and order, which had characterised the civilization of the Northern States since the landing of the Pilgrims, suffered during the mob crisis a severe shock. Those States tardily perceived that it was quite impossible to expose one portion of society to the lawlessness of another without putting in jeopardy the welfare and security of the whole. Each class must, in sooth, be protected if all would be safe. License to set at naught the right of assembly and free discussion of any part of the people by violence was an invitation to do the same upon occasion to other parts of the people. If mobs might with impunity destroy the property or lives of Abolitionists because of a difference of opinion on the question of slavery, why might they not do as much to the property and lives of others who might fail to agree with them on a wholly different subject? In that direction ran the short and straight road to anarchy. The North, when its sober second thought

had come to it, had no mind, much as it detested the Abolitionists, and desired to demonstrate its sympathy with the South, to travel this downward way to certain ruin. And it pulled itself together and back upon its ancient and regular tracks of law and order.

But the attempt and the failure were productive of other and grave collateral consequences. The attempt to suppress Abolitionism in the free States by mobs, and the dangers to society which ensued, created a reaction in those States adverse to slavery. That Southern institution became thenceforth associated with frightful memories of violence and bloodshed, with attacks on the freedom of the press and free speech, and with outrages upon the property and persons of white men. A new sort of enmity to slavery was thus begotten in the North. The enlightened self-interest of that section had from a hitherto unoccupied position reexamined the system and learned how irrepressible was the conflict between it and Northern ideas, interests, and institutions.

On the other hand, this anti-slavery revulsion against the pro-slavery excesses of the period added insult to the Southern sense of injury—threw fresh fuel upon the already blazing fires of the grievances of that section. It had called in vain upon the North with its selfish regard for law and order, and scrupulous respect for sundry ancient rights of the people long ago discarded at the South, called upon it through State legislatures and “innumerable meetings” to repress the firebrand movement against slavery. And what answer had been returned? Words, nothing but words. It had demanded through

its representatives in Congress the rejection of fire-brand petitions, containing assaults on the rights, character, and institutions of slaveholders; and the North through its representatives had, notwithstanding, determined to receive them. But the unkindest cut of all was, perhaps, the anti-slavery reaction in the free States against pro-slavery mobs. Judge Lynch was a recognized authority at the South. A government of men, as contradistinguished from a government of laws, had ever marked the civilization of that section, inhered, in fact, in its central social principle. In practice, however the thing may appear in theory, there is but a short step from a government of men to a government by mobs.

Viewing the situation from totally opposite stand-points, it is no wonder that the slave-holding and the non-slave-holding sections failed to appreciate the feelings and the needs of each other. The act that helped one hurt the other. The mobs, which were to advantage the South, wrought no end of mischief at the North. And so, instead of repressing the Abolition propaganda, the free States seemed to the slave ones to be much more concerned about the repression of the peculiarly Southern treatment of the incendiaries. Increased friction and ill-will between the two halves of the Union were, in consequence, engendered. The seeds of alienation and hate grew apace through the South. The schism between the sections sensibly widened, and the anti-Union working forces took on in the slave States redoubled activity and intensity.

The Abolition movement, meanwhile, was making astonishing progress. All attempts to suppress it but

operated to augment its energy and growth. The higher the tide of persecution rose, the higher the spirit of the reform mounted. Events moved in those troublous times with surprising celerity. What under other conditions would have required, perhaps, fifty years to effect, was accomplished then in ten. The whole North in half of that brief space was converted into one vast resounding anti-slavery debating club. The anti-slavery lecturer was omnipresent. Anti-slavery publications issued from the anti-slavery press “Thick as autumnal leaves that strew the brooks in Vallambrosa.” Anti-slavery societies and multitudes seemed to rush in streams out of the ground.

In 1837, Calhoun, who, more than any other statesman of his time, comprehended the underlying causes of difference and strife between the sections, gave this gloomy forecast of the agitation : “ Already it (Abolition) has taken possession of the pulpit, of the schools, and, to a considerable extent, of the press—those great instruments by which the mind of the rising generation will be formed. However sound the great body of the non-slave-holding States are at present, in the course of a few years they will be succeeded by those who will have been taught to hate the people and institutions of nearly one-half of this Union with a hatred more deadly than one hostile nation ever entertained towards another. It is easy to see the end. By the necessary course of events, if left to themselves, we must become, finally, two peoples. It is impossible under the deadly hatred which must spring up between the two great sections, if the present causes are permitted to operate unchecked,

that we should continue under the same political system."

Thus early had the national situation in respect of slavery assumed an aspect of extreme gravity. To the Union worshipers the outlook was threatening enough. For all the signs indicated that the country was hurrying into a state of increasing uproar and conflict. In the South, the fatal conviction was deepening and spreading that Abolition and the Union could not possibly coexist; while in the North the contrary belief was likewise deepening and spreading that slavery and the Union could not together permanently endure. The crashing and grinding of those enormous, antagonistic forces of public opinion was working destructively on the brotherly feeling of the people of the South and of those of the North, so that even then the deadly hatred, predicted by Calhoun, was beginning between the sections.

It was at this stage of the irrepressible conflict that the agitation over the annexation of Texas appeared to make matters already very bad a great deal worse. However, the design of the South upon Texas was natural enough, as will be seen by a consideration of the causes which led up to it. In the contest between the sections for political ascendancy in the general Government the South had been losing ground since the close of the war of 1812. The North had, since that event, far outstripped it in wealth and population, in fine, in all the elements of a superior and progressive civilization. Socially and industrially the free States in 1840 were indisputably the stronger, and the slave ones the weaker half of

the Union. One had become a relatively increasing, and the other a relatively diminishing national quantity. The industrial and social balance between them was hopelessly destroyed. The influence of this fact alone would, in course of time, by the operation of economic laws, redress the political balance between the sections in favor of the free States.

This great northward trend of wealth, population, and social strength in the Republic, early attracted the notice of Southern leaders, who could not conceal the apprehensions which, in consequence, they felt for the future of the slave-holding States. Calhoun watched it with profound and intense attention. What he saw was calculated to appal a less resolute and indomitable spirit. For clearly it was written in all this northward tilt of population and industrial prosperity the *mene mene tekel upharsin* of Southern domination in the national Government, unless, indeed, some means were discovered for overcoming and reversing the action of economic laws and forces at the moment in full play in the Republic. Certainly it behooved the weaker section to exert itself in this political extremity.

The slave line of 1820 shut slavery within territorial limits which it was never to exceed. The slave soil created by the Missouri Compromise was now nearly exhausted. The admission of new slave States was about to cease for want of material out of which to carve them. And with this final check to the territorial expansion of the slave-power, the slave-holding States would pass in the national Senate, as they had long ago passed in the national House, to the hopeless condition of a relatively declining minority, to

be outnumbered and outvoted, on all sectional matters and issues, by their non-slave-holding rivals. With the downfall of the South in the Senate would vanish, as a matter of course, its long political ascendancy in the Union, and in time its slave institutions would disappear also.

This horrible possibility oppressed Calhoun like a nightmare. Tormented by gloomy and anxious thoughts for the future of his section and its industrial system, the veteran slave champion began to question the wisdom of a compromise which he had helped to adopt. In this state of mind he came to view the Missouri settlement as a cardinal blunder on the side of the South, and to cast about him for some escape out of the trap in which it had caught the slave-power.

Then it was that Texas rose on our horizon in its struggle for independence. The uprising of Texas against Mexico was the breaking of day on the midnight darkness of the South. In that instant Calhoun's purpose was formed—he would correct the old blunder of 1820 by the annexation of slave territory, which, in the graphic language of Webster, "a bird could not fly over in a week." Out of its immense, undefined area slave States might be formed as the Southern exigency might demand. So at least reasoned many of the leaders of that section. The stakes were high, and they played for them with a bold and masterly hand. From small beginnings the agitation rose under the dextrous management of Calhoun to tremendous proportions. "Texas or disunion" was the cry which the South finally raised, and it shortly expressed the determined and despe-

rate purpose of that section in relation to annexation.

The free States on the other hand were not at all disposed to look with favor upon a scheme to augment the slave soil of the country. All the old dread of Southern domination, and dissatisfaction with the Southern advantages, contained in the original basis of the Union, stirred wrathfully in the hot heart of the North as the Texan agitation approached its conclusion. The Southern challenge of "Texas or disunion" was answered by the Northern defiance of "No more slave soil," "No more slave States."

The struggle was long and fierce, leaving on both sections lasting and bitter effects. It, too, like previous contests, was concluded by a compromise, if that can be called a compromise, by which one side makes all the concessions, and the other receives every substantial advantage. Texas was admitted into the Union. The slave line of  $36^{\circ} 30'$ , as a matter of form, was drawn through it, and a limit imposed upon the number of States, which might thereafter be constructed from it. These shadowy, negative benefits accrued to freedom. Slavery got the rest. Slavery was triumphant. Freedom had suffered, what seemed at the time, a disastrous defeat.

But there were collateral consequences, which, in a measure, compensated to liberty this crushing blow. The moral awakening which grew out of the agitation in the free States proved an incalculable good. For it accelerated the spread of anti-slavery sentiment by the creation of popular conditions favorable to their diffusion and adoption.

It enlisted besides, the active sympathy and coöperation of a highly intelligent and influential class, which had previously taken no positive position on the subject of slavery.

On the flood thus fed, the Abolition movement passed from a state of pure moral agitation to its more momentous phase of organized political opposition to the evil. This annexation controversy, in its progress, consummation, and consequences, precipitated at the North the formation of a political party movement along distinctively sectional lines. In this aspect of the matter, the triumph of the South was not an unqualified gain. It must, in fact, be counted a sort of Pyrric victory. But this was not all. "Pitch the Devil out of the door," runs an old saw, "and he returns through the window." Troubles assailed the South from an unexpected quarter. She had cast out her dread of Northern political ascendancy by annexing Texas. But, alack and alas! this same dread had returned with tenfold strength on the wings of the Mexican War. Calhoun was checkmated; fate had outgeneraled the slave-power.

It was the aim of the Texan plotters to augment the Southern term of the fraction of Federal political power. The acquisition of California and New Mexico frustrated this design by multiplying the Northern term of the fraction of Federal political power. Calhoun confessed at this juncture that he was no longer able to forecast the future. An impenetrable curtain had dropped between the present and the hereafter, which shut from his vision everything but the stern and overwhelming catastrophe. And no wonder. For he and his section had plunged

abruptly into one of those terrible blind alleys in which human history abounds. They were entangled, entrapped in the toils of their own setting. The engineers of the Texan scheme were hoisted by their own petard.

## CHAPTER VII.

### THE LONG BATTLE BEGINS.

THE Texan agitation drew forth Sumner's first political speech. Writing to Dr. S. G. Howe in the winter of 1843, he feared "some insidious movement in favor of Texas." "The South yearns," he goes on to remark, "for that immense cantle of territory to carve into great slave-holding States. We shall witness in this Congress some animated contests on this matter." His fear was well founded, his prognostication sustained by the developments of the new year. The agitation for annexation burned fiercely in Congress, spread from Congress to the four quarters of the nation. Such progress had the fires of the agitation made within a twelvemonth, that in 1845 they attained the magnitude of a general conflagration. The excitement in the North was intense—tremendous. Meetings in opposition to annexation were held throughout the free States. A new note, or rather an old note, struck by the North twice before within thirty years, a note of passionate dread of, and passionate antagonism to, the domination of slavery in the Government, a note in which Liberty, not Union, formed the major tone, sounded like a tocsin in the land. The alarm of the free States was profound—prodigious. In Massachusetts the agitation excitement reached perhaps, its height, and the spirit

of bold resistance to the extension of slavery culminated.

Sumner made his political debut on the night of November 4, 1845, at a public meeting, held in Faneuil Hall, to protest against the admission of Texas with her slave constitution into the Union. Charles Francis Adams presided on the occasion, and William I. Bowditch acted as one of the secretaries. Young men then, they both subsequently added lustre to names then already illustrious in statesmanship and science. Sumner's was a leading part in the demonstration, not only uttering with eloquent lips the thoughts of the hour, but voicing with eloquent pen also the anti-slavery feelings of the meeting, in resolutions of singular boldness, humanity, and energy. He struck firmly on this first evening the keynote of his entire public career, viz, *the equality and brotherhood of all men*, as set forth in the Declaration of Independence :

"Whereas, The Government and Independence of the United States," so opened the resolutions, "are founded on the adamantine truth of *Equal Rights* and the *Brotherhood of all Men*, declared on the 4th of July, 1776, a truth receiving new and constant recognition in the progress of time, and which is the great lesson from our country to the world, in support of which the founders toiled and bled, and on account of which we, their children, bless their memory. . . .

"And Whereas, This scheme [for the annexation of Texas as a slave State], if successful, involves the whole country, free States as well as slave ones, in one of the two greatest crimes a nation can commit, and threatens to involve them in the other, namely,

slavery and unjust war, slavery of the most revolting character, and war to sustain slavery. . . .

*"Therefore Be It Resolved,* In the name of God, of Christ, and of Humanity, that we, belonging to all political parties, and reserving all other reasons of objection, unite in protest against the admission of Texas into this Union as a slave State.

*"Resolved,* That the people of Massachusetts will continue to resist the consummation of this wicked purpose, which will cover the country with disgrace and make us responsible for crimes of gigantic magnitude." . . .

Such were the anti-slavery style and spirit of those first political resolutions. The anti-slavery style and spirit of the first political speech were like unto them.

It was the wrong of slavery in its moral, rather than in its political, aspect, which formed the subject and the burden of this speech. Great as would be the evil of annexation to the people of the North, it could not equal the crime of it against humanity. "I cannot dwell now," said the orator, "upon the controlling political influence in the councils of the country which the annexation of Texas will secure to slaveholders; this topic is of importance, but it yields to the supreme requirements of religion, morals, and humanity. I cannot banish from my view the great shame and wrong of slavery. Judges of our courts have declared it contrary to the Law of Nature, finding its support only in positive enactments of men. Its horrors who can tell? Language utterly fails to depict them.

"By the proposed measure, we not only become

parties to the acquisition of a large population of slaves, with all the crime of slavery, but we open a new market for the slaves of Virginia and the Carolinas, and *legalize a new slave-trade*. A new slave-trade! Consider this well. You cannot forget the horrors of that too famous ‘middle passage,’ where crowds of human beings, stolen, and borne by sea far from their warm African homes, are pressed on shipboard into spaces of smaller dimensions for each than a coffin. And yet the deadly consequences of this middle passage are believed to fall short of those sometimes undergone by the wretched coffles driven from the exhausted lands of the Northern slave States to the sugar plantations nearer the sun of the South. One-quarter are said often to perish in these removals. I see them, in imagination, on their fatal journey, chained in bands, and driven like cattle, leaving behind what has become to them a home and a country (alas! what a home and what a country!)—husband torn from wife, and parent from child, to be sold anew into more direful captivity. Can this take place with our consent, nay, without our most determined opposition? If the slave-trade is to receive new adoption from our country, let us have no part or lot in it. Let us wash our hands of this great guilt. As we read its horrors may each of us be able to exclaim, with conscience void of offense, ‘Thou canst not say I did it.’ God forbid that the votes and voices of Northern freemen should help to bind anew the fetters of the slave! God forbid that the lash of the slavedealer should descend by any sanction from New England! God forbid that the blood which spurts from the lacerated, quivering

flesh of the slave should soil the hem of the white garments of Massachusetts!"

This was the first of many addresses which, in time, were to fill many volumes on the subject of slavery. It was not one of those marvels of the orator's art and eloquence, such as was Wendell Phillips's first speech from the same platform nearly eight years before. Of itself, it could not have placed its author in the front rank of the orators of the times. But it was the beginning of an oratoric stream, which, growing with the years and the great cause of humanity, was to roll through the land like some Mississippi of the anti-slavery movement.

About a dozen years previously, Sumner had seen slaves for the first time as the reader will perhaps recall. The reader will perhaps recall, also, how the sight of them affected him then, and the scholarly aversion with which their appearance filled him. His "worst preconception of their appearance and ignorance did not fall as low as their actual stupidity," he wrote. "They appear to be nothing more than moving masses of flesh, unendowed with anything of intelligence above the brutes." That was to the scholar's eye, but how different they now appeared to the humanitarian's is seen in the noble passage beginning "I see them, in imagination, on their fatal journey," etc. They are no longer "moving masses of flesh," but men and brothers, husbands, wives, parents, and children. The scholar's aversion has given place to deep and passionate human sympathy; the political evils of their enslavement pales and dwindles by the side of the awful and appalling wrong of it. The moral nature of the young jurist is on

fire with tender pity for those selfsame slaves, who once seemed to him "unendowed with anything of intelligence above the brutes," and ablaze with hostile aversion to the system, which so cruelly oppresses and dehumanizes them.

From that brave beginning, Sumner's voice was not long intermitted on this transcendent subject of his own and the nation's thoughts. Struck with the truth of that profound saying of Schiller, "Give the world beneath your influence a *direction* towards the good, and the tranquil rhythm of time will bring its development," he began with a noble enthusiasm to give, as far as in him lay, the public sentiment of Boston and Massachusetts a *direction* toward the equal rights and brotherhood of all men, regardless of race and color, now seizing one occasion, now another in the swift flying months and years, to do what the while was clearly becoming the supreme passion and purpose of his life.

On August 27, 1846, occurred one of those occasions turned by Sumner to the advancement of the freedom of the slave. It was then that he delivered his memorable Phi Beta Kappa oration at Cambridge on "The Scholar, The Jurist, The Artist, The Philanthropist," which was a tribute to John Pickering, Joseph Story, Washington Allston, and William Ellery Channing, who had all passed away during the preceding quadrennial of the society. An address on the nation's anti-slavery duties would not have been tolerated by the scholars of the University at that time, or for that matter at any subsequent period prior to emancipation. The scholars of Harvard did not take kindly either to the anti-slavery agitation or

the agitators, as Sumner presently learned by painful experience. But on that August day, fenced behind four such illustrious names, the young philanthropist was able to preach some plain truth, touching the wrong of slavery to the men who put human lore above human liberty.

The life of Dr. Channing furnished the text for the anti-slavery portion of that splendid Phi Beta Kappa discourse. Channing's highest praise was his love of humanity, his passion for righteousness, his championship of the rights of man, his exaltation of the worth of the individual man not alone in his relations to another world, but in those to the present also. The image of the deity, which he recognized beneath all varieties of races, colors, and conditions in the nature of man he held a sacred charge to be cherished, and defended always and everywhere against the dehumanizing and infernal forces of violence and wrong. His contest with war and slavery was not a contest against them as mere abstractions, but as present, particular, and terrible realities. He did not content himself with a discharge into the air of a few broadsides of general moral principles and platitudes, deceiving himself into the absurd belief that he was fighting for Right and against Wrong. Nothing of the kind. "His morality, elevated by Christian love, fortified by Christian righteousness, was frankly applied to the people and affairs of his own country and age. . . . He brought his morality to bear distinctly upon the world. Nor was he disturbed by another suggestion, which the moralist often encounters, that his views were sound in theory, but not practical. He well knew that what was

unsound in theory must be vicious in practice. Undisturbed by hostile criticism, he did not hesitate to arraign the wrong he discerned, and fasten upon it the mark of Cain. His philanthropy was morality in action."

Channing taught that there was not one code of morals for nations, and another for individuals. What was right for one was right for the other; what was wrong for an individual to do was no less a wrong when done by a nation. "This truth cannot be too often proclaimed," proceeded the orator in the strain and tone of an anointed prophet-apostle of humanity. "Pulpit, press, school, college, all should render it familiar to the ear, and pour it into the soul. Beneficent Nature joins with the moralist in declaring the universality of God's laws; the flowers of the field, the rays of the sun, the morning and evening dews, the descending showers, the waves of the sea, the breezes that fan our cheeks and bear rich argosies from shore to shore, the careering storm, all on this earth,—nay, more, the system of which this earth is a part, and the infinitude of the Universe, in which our system dwindles to a grain of sand,—all declare one prevailing law, knowing no distinction of person, number, mass, or extent."

Coming directly to the subject of slavery, Sumner pointed out how, in defense of African liberty, Channing "invoked always the unanswerable considerations of justice and humanity. The argument of economy, deemed by some to contain all that is pertinent," continued the orator, "never presented itself to him. The question of profit and loss was absorbed in the question of right and wrong. His maxim

was—anything but slavery; poverty sooner than slavery. But while exhibiting this institution in blackest colors, as inhuman, unjust, unchristian, unworthy of an enlightened age, and of a republic professing freedom, his gentle nature found no word of harshness for those whom birth, education, and custom bred to its support. . . .

"He urged the *duty*—such was his unequivocal language—incumbent on the Northern States to free themselves from all support of slavery. To this conclusion he was driven irresistibly by the ethical principle, that *what is wrong for the individual is wrong for the State*. No son of the Pilgrims can hold a fellow-man in bondage. Conscience forbids. No son of the Pilgrims can, through Government, hold a fellow-man in bondage. Conscience equally forbids."

Thus did the Phi Beta Kappa orator seize the occasion to lift up the standard of equality and human brotherhood "to light a fresh beacon-fire on the venerable walls of Harvard, sacred to Truth, to Christ, and to the Church"; and, when glowing with his great theme, he exclaimed at the end, "Let the flame pass from steeple to steeple, from hill to hill, from island to island, from continent to continent, till the long lineage of fires illumine all the nations of the earth, animating them to the holy contests of KNOWLEDGE, JUSTICE, BEAUTY, LOVE," there arose a sympathetic response in the heart of one, at least, of his auditors. This particular auditor was, however, a host in himself, for he was no less a personage than John Quincy Adams, who perceived then that in the drama of slavery, destiny had called Sumner to play

a great part. "The pleasure with which I listened to your discourse," wrote the Old Man Eloquent two days after the delivery of the oration, "was inspired far less by the success and *all but* universal acceptance and applause of the present moment, than by the vista of the future which is opened to my view. Casting my eyes backward no farther than the 4th of July of last year, when you set all the vipers of Alecto a-hissing by proclaiming the Christian law of universal peace and love, and then casting them forward, perhaps not much farther, but beyond my own allotted time, I see you have a mission to perform. I look from Pisgah to the Promised Land ; you must enter upon it. . . . To the motto on my seal [*Altera saeculo*], add *Delenda est servitus.*"

No need, however, for the parting injunction; *Delenda est servitus* was already deeply graven on the seal of the young reformer. From this moment his attacks upon the national sin never slackened, but increased in frequency and energy. Four weeks later he renewed the assault in the Whig State Convention of Massachusetts, held in Faneuil Hall, September 23, 1846. But he, young and ardent, had his illusions to be dispelled, and one of those was the hope of converting the Whig party into an anti-slavery instrument. He perceived the necessity of an organized political movement devoted to freedom, to oppose the political organization devoted to slavery. He knew that great national parties are not made to order, but are born, evolved out of circumstances which require their agency in giving direction to public sentiment and solving public problems. There were signs that such a party was forming in

the matrix of time, preparations for it like the Liberty party, prophecies of it like the rise and growth of anti-slavery principles in the body of both of the old parties, but a new party, devoted to freedom was not among the political probabilities of the year 1846. And this, of course, Sumner well knew, even had he no faith in the ultimate conversion of the Whigs to the espousal of the cause of liberty. But he was evidently, in the beginning, a strong believer in the anti-slavery possibilities of that party. And no wonder. For if the party in Massachusetts was to be relied upon in that regard, was to be taken as a good example of the anti-slavery potentialities of the national organization, then, surely Sumner had reason for his expectation. The anti-slavery element in that party in Massachusetts had become an important factor in State politics since the agitation preceding and succeeding the annexation of Texas. It comprised some of its ablest leaders in the State, and it comprised numerical strength as well. It included such veterans as John Quincy Adams, Josiah Quincy, and John G. Palfrey; such young and aggressive spirits as Charles Francis Adams, George S. Hillard, Dr. S. G. Howe, and John A. Andrew, among whom Sumner was, as early as 1846, the recognized leader.

True to his double design to let no opportunity slip to preach the doctrines of human rights to his countrymen, and to graft anti-slavery principles upon the Whig party, Sumner seized the occasion of the Whigs assembling in Convention to promote the interests of freedom in those regards. Upon the withdrawal of the committee appointed to report resolutions, he was called upon for a speech. The

speech made by him bears the marks of careful preparation, and was, probably, like such performances of his, fully written out and memorised in anticipation of the opening. There was doubtless, no accident between the call and the speech. The call came because there was a speech, and the speech was ready, we dare say, because it was expected. It came as an expression of a well-defined anti-slavery movement within the party in Massachusetts, and from the lips of the boldest, and the most eloquent and determined of its younger leaders in the city and commonwealth.

It was Sumner's second political speech, and the subject of it, "Anti-Slavery Duties of the Whig Party," evinced his early hopes and aims, touching the anti-slavery possibilities of that party. No utterance could have been more earnest. It was like the mouth of a furnace through which was seen the conscience, the will, the intellect of the orator, fervid and flaming over the fierce breath of an idea, at once imperious and supreme. It was anti-slavery, political and moral, incarnate. From its opening sentence, in which Sumner expressed his intention to speak of *duties*, to its closing one in which "Right, Freedom, and Humanity" resounded like a summons to battle, the speech glowed and blazed with the white heat of a master thought, a master purpose.

The Whig party must be true to its name, must stand for moral ideas, for right, freedom, humanity, not alone for the Tariff, Internal Improvements, and a National Bank. The Whigs are called *conservatives*. Let them truly conserve the everlasting principles of truth and liberty in the manly and generous spirit of

the Declaration of Independence. It should be the party of freedom, openly, energetically. It should be the party opposed to slavery, openly, energetically. The time has gone by for the question, *what has the North to do with slavery?* Politically, it has little to do with anything else. Slavery is everywhere. Under the slave-representation clause of the Constitution it is seated in Congress. It plies its traffic in human flesh in the District of Columbia within the legislative jurisdiction of the nation, on the high seas under the national flag, and pursues its flying victims into the sacred precincts of Northern freedom ; "nay, more, with profane hands it seizes those who have never known the name of slave, freemen of the North, and dooms them to irremediable bondage. It insults and expels from its jurisdiction honored representatives of Massachusetts, seeking to secure for her colored citizens the peaceful safeguard of the Union. It assumes at pleasure to build up new slave-holding States, striving perpetually to widen its area, while professing to extend the area of freedom. It has brought upon the country war with Mexico, with its enormous expenditures and more enormous guilt. By the spirit of union among its supporters, it controls the affairs of Government, interferes with the cherished interests of the North, enforcing and then refusing protection to her manufactures, makes and unmakes Presidents, usurps to itself the larger portion of all offices of honor and profit, both in the army and navy, and also in the civil department, and stamps upon our whole country the character, before the world, of that monstrous anomaly and mockery, *a slaveholding Republic*, with the living truths of free-

dom on its lips and the dark mark of slavery on its brow."

Massachusetts must wash her hands of all complicity with the acts of this great criminal. "If it be wrong to hold a single slave, it must be wrong to hold many. If it be wrong for an individual to hold a slave, it must be wrong for a State. If it be wrong for a State in its individual capacity, it must be wrong also in association with other States." **REPEAL OF SLAVERY UNDER THE CONSTITUTION AND LAWS OF THE NATIONAL GOVERNMENT,** *ergo*, should be the rallying cry of the Whigs of Massachusetts.

Slavery in the District of Columbia, in the Territories, and on the high seas under the national colors, may be reached by Congress constitutionally, it may be reached by constitutional amendment, also. Slavery under the Constitution was not designed by its framers to endure perpetually. They looked for its ultimate extinction. Let Washington, Jefferson, and Franklin speak for them. Surely they earnestly desired its early abolition. It is the duty of the Whigs, professing the principles of the fathers, to place themselves against the evil, "*not only against its further extension, but against its longer continuance under the Constitution and Laws of the Union.*" Emancipation they should present as the cardinal object of our national policy.

The party must not content itself with a mere paper opposition to slavery, through anti-slavery *resolutions*, it must fight the monster with good men and true, who will be, not Northern men with Southern principles, nor yet Northern men under Southern influences, but loyal ever to Freedom and Humanity,

brave enough to stand alone with Right. There are few such men in Congress. Massachusetts has one, venerable and illustrious, whose aged bosom still glows with the inextinguishable fires of liberty. Would that all might join him, whom all well know to be that resolute and commanding opponent of slavery on the floor of Congress, John Quincy Adams. Then, in an impassioned passage, the young orator called upon Webster to add to his title of *Defender of the Constitution* the grander one of *Defender of Humanity*, and closed thus in this heroic strain :

“ To my mind it is clear that the time has arrived when the Whigs of Massachusetts, the party of freedom, owe it to their declared principles, to their character before the world, and to conscience, that they should place themselves firmly on this honest ground. They need not fear to stand alone. They need not fear separation from brethren with whom they have acted in concert. Better be separated even from them than from the Right. Massachusetts can stand alone, if need be. The Whigs of Massachusetts can stand alone. Their motto should not be ‘Our party, *howsoever bounded*,’ but ‘Our party, bounded always by the Right.’ They must recognize the dominion of Right, or there will be none to recognize the dominion of the party. Let us, then, in Faneuil Hall, beneath the images of our fathers, vow perpetual allegiance to the Right, and perpetual hostility to slavery. Ours is a noble cause, nobler even than that of our fathers, inasmuch as it is more exalted to struggle for the freedom of *others* than for *our own*. The love of Right, which is the animating impulse of our movement, is higher even than the love of Free-

dom. But Right, Freedom, and Humanity all concur in demanding the abolition of slavery."

From the Cotton wing of the Whig Convention the speech met a cold and significant reception. It was Nathan Appleton who remarked to the orator just as he stepped from the platform, "A good speech for Virginia, but out of place here," to which Sumner quickly responded, "If good for Virginia, it is good for Boston, as we have our responsibilities for slavery." Robert C. Winthrop, another representative of that wing of the Whigs, at the call of the convention, followed Mr. Sumner immediately, doubtless, to voice the sentiments of the party contrariant to those of the address, which was understood to embody the views and aspirations of the Conscience wing of the Whigs. Twelve days after the delivery of his speech, Sumner received a note from Mr. Webster, which indicated pretty plainly that he was not disposed to act upon the appeal to him by adding to his other titles that of *Defender of Humanity*. "In political affairs we happen to entertain, at the present moment," so ran the words of the great man's friendly missive, "a difference of opinion respecting the relative importance of some of the political questions of the time, and take a different view of the line of duty most fit to be pursued in endeavors to obtain all the good which can be obtained in connection with certain important subjects." Ah! Sumner had to learn by repeated failures that with Webster and the Whigs Right and Liberty were of less importance than dollars and dividends.

But the determined purpose of Sumner was not to be deflected so much as the tithe of a hair from his

object, either by the cold tone of Appleton or the crafty words of Webster. Sumner clearly perceived that in the impending political struggle with slavery, everything depended on the kind of men who were put forward to represent the North in Congress. They were not to be sound in sentiment only, they were to possess the courage of their convictions also. Anti-slavery resolutions without the right men behind them were no more than political sounding brass, and tinkling cymbals, was the noise of thunder with the electric bolt left out. For himself, he wanted the thunder to arouse the conscience of the nation, but even more, he wanted its bolts to smite the giant wrong. Hence his insistence upon the selection of none but men valiant and true, as the representatives of the Whigs in Washington. What he strenuously insisted upon as a member of the Whig State Convention, he sternly enforced immediately afterward as an individual Whig elector in the case of Robert C. Winthrop and his vote in Congress upon the wrongful declaration of war against Mexico.

Mr. Winthrop was the bright, particular star of the younger portion of the Cotton wing of the Whigs of Massachusetts. He had been early chosen to represent in Congress, the party in Boston. Amiable, eloquent, and accomplished, he had approved himself an honor to Massachusetts, and an able defender of her interests, such as were embraced in the Bank and Tariff questions of the day. He was the young idol of Beacon and State streets, and to all appearances the destined successor of Webster in the leadership of the great Whig classes of the city and common-

wealth. He had not been unmindful of other than their material interests, it must also be recorded to his credit. In the matter of the treatment of colored seamen in sundry Southern ports, his manly report upon the subject in Congress will doubtless be recalled by the reader, and also Mr. Sumner's cordial commendation of it besides. Mr. Winthrop was sincerely opposed to the extension of slavery, and if mere words could have entitled him to an anti-slavery character, he certainly would not then have been found wanting in that regard.

But in the new test of office which Sumner had proposed to the Whigs in convention assembled, anti-slavery words were deemed important, but anti-slavery action was rated as indispensable to official fitness. The men chosen to represent the free States in Congress "must not be Northern men with Southern principles, nor Northern men under Southern influences," was his pungent and epigrammatic characterization of the exacting nature of the new test. In a public letter, addressed to Mr. Winthrop on October 26, 1846, and which that gentleman, probably never forgot or forgave during the lifetime of the author, Sumner applied the new test to the political conduct of the representative from Boston in its relations to the war with Mexico, with a rigor and energy that was impressive, almost imposing.

After the annexation of Texas there arose between Mexico and the United States a question of disputed boundary, Mexico on her part contending that the territorial jurisdiction of Texas extended to the river Nueces, while the United States insisted that the Rio Grande and not the Nueces formed the line of separ-

ation between the two republics. The great object sought to be obtained by the annexation of Texas was the acquisition of additional slave territory, the more the better from the standpoint of the South. The temptation to add to the prize won by it, the land included between the Nueces and the Rio Grande, was altogether too much for the moral resistance of the slave-power, and it speedily and greedily succumbed to its inordinate lust for the possession of that choice cantle of Mexican territory. In January, 1846, President Polk ordered United States soldiers, under the command of General Taylor, to proceed to the occupation of this debatable land. Their occupancy brought on a collision with the troops of Mexico and virtually began the war. The United States was plainly the aggressor, not Mexico, who was acting wholly on the defensive, attempting to repel invaders from her dominion. Such was Sumner's position.

At this juncture the cry was craftily raised by the emissaries of the slave-power that the American Army of Occupation was in danger. This was calculated to excite the sympathy and patriotism of the nation, irrespective of sections, and to secure the support of Congress, and the requisite military supplies for the successful prosecution of the scheme of Mexican spoliation. Ably assisted by the President the plan for hoodwinking the free States succeeded. Northern representatives, who had opposed the annexation of Texas as a slave State, were duped by this adroit appeal to their love of country, into giving aid and encouragement toward the conduct of a war made for no other cause than the augmentation of

the slave soil of the Union. Mr. Winthrop belonged to the number who had fallen into the trap laid for them by the slave-power. He had expressed himself, anent the annexation of Texas as a slave State, as "uncompromisingly opposed to slavery, or the addition of another inch of slave-holding territory to the nation," but tamely enough afterward gave his vote for the prosecution to its "speedy and successful termination" of a war waged solely for the territorial aggrandizement of Texas as a slave State. In that act he had proven himself, if not a Northern man with Southern principles, then a Northern man under Southern influences, and, therefore, unworthy of the confidence of the friends of freedom.

Sumner's letter to Mr. Winthrop was a sharp arraignment of him as a public servant in that regard, and a stern declaration that he has been weighed and found wanting in loyalty to Truth, Right, Liberty, and Humanity, and by him the writer, solemnly disowned and rejected as unworthy longer to represent the Whigs of Boston in Congress.

A couple of extracts from this letter, which was an event in the politics of Massachusetts in the autumn of 1846, will convey to the reader an idea of its moral rigor of tone and energy of diction. "Such, sir, is the Act of Congress to which by your affirmative vote," so runs the letter, "the people of Boston are made parties. Through *you* they are made to declare *unjust and cowardly war, with superadded falsehood, in the cause of slavery*. Through *you* they are made partakers in the blockade of Vera Cruz, the seizure of California, the capture of Santa Fé, the bloodshed of

Monterey. It were idle to suppose that the soldier or officer only is stained by this guilt. It reaches far back, and incarnadines the Halls of Congress; nay, more, through you, it reddens the hands of your constituents in Boston. Pardon this language. Strong as it may seem, it is weak to express the aggravation of this Act. Rather than lend your hand to this wickedness, you should have suffered the army of the United States to pass submissively through the Caudine Forks of Mexican power—to perish, it might be, like the legions of Varus. Their bleached bones, in the distant valleys, where they were waging unjust war, would not tell to posterity such a tale of ignominy as this lying Act of Congress.

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“Another apology is, that the *majority* of the Whig party joined with you, or, as it has been expressed, that Mr. Winthrop voted with all the rest of the weight of moral character in Congress, from the free States, belonging to the Whig party, *not included in the Massachusetts delegation*; and suggestions are made in disparagement of the *fourteen* who remained unshaken in loyalty to Truth and Peace. In the question of Right or Wrong, it is of little importance that a few fallible men, constituting what is called a majority, are all of one mind. Supple or insane majorities are found in every age to sanction injustice. It was a majority which passed the Stamp Act, and Tea Tax,—which smiled upon the persecution of Galileo,—which stood about the stake of Servetus,—which administered the hemlock to Socrates,—which called for the crucifixion of our Lord. These majorities cannot make us hesitate to condemn such

acts, and their authors. Aloft on the throne of God, and not below in the footprints of a trampling multitude, are the sacred rules of Right, which no majorities can displace or overturn. And the question recurs, was it *right* to declare unjust and cowardly war, with superadded falsehood, in the cause of slavery?" The answer of the letter was one deep, stern, resounding NO.

After the appearance of this letter, the opposition in Boston to the return of Mr. Winthrop crystallized about its author and a strong disposition arose in the city to run Sumner as an independent candidate for Congress. With this end in view he was approached again and again by those dissatisfied with the record of Mr. Winthrop on the Mexican War, to allow the use of his name as a candidate. But, unwilling to enter public life, and to expose himself to the imputation of having been actuated by selfish motives in writing the letter, he repeatedly declined to let himself be nominated. But his fitness was so evident and supreme, that the friends of freedom at a mass-meeting in Tremont Temple on October 29th, and during his absence in Maine filling lecture engagements, nominated him, notwithstanding his repeated refusals to permit himself to be placed in nomination, as an independent candidate for Congress.

Dr. S. G. Howe called the meeting to order, and Charles Francis Adams was chosen to preside. The high estimation in which Mr. Sumner was held at the time in the city may be gathered from the report of the committee appointed to draft resolutions and name a candidate, of which John A. Andrew, then a

young member of the Suffolk bar, was chairman. The last of a series of resolutions reported by the committee reads as follows :

*"Resolved,* That we recommend to the citizens of this district as a candidate for representative in the National Congress a man raised by his pure character above reproach, whose firmness, intelligence, distinguished ability, rational patriotism, manly independence, and glowing love of liberty and truth entitle him to the unbought confidence of his fellow-citizens—CHARLES SUMNER, of Boston—fitted to adorn any station, always found on the side of the Right, and especially worthy at the present crisis to represent the interests of the city and the cardinal principles of Truth, Justice, Liberty, and Peace, which have not yet died out from the hearts of her citizens."

The nominee returned to Boston late the next evening, and on learning that he had been put in nomination for Congress, penned at once and gave to the public a positive and explicit withdrawal of his name. Dr. Howe was thereupon selected as a candidate instead, and consented "to stand and be shot at," under the circumstances. Sumner threw himself into the canvass with his customary earnestness and energy, giving to his friend at a public meeting in Tremont Temple on the night of November 5th, an enthusiastic support in a learned and elaborate speech on slavery and the Mexican War, in which he again reviewed Mr. Winthrop's political conduct with scathing effect, declaring him unfit to "represent the feeling palpitating in Massachusetts' bosom," and so often expressed by her legislature on the subject of slavery. In that address he voiced a truth which

was vital then and is vital now. "In his vote for the Mexican War," Sumner pointed out in his speech, "Mr. Winthrop was not a Whig. He then left the party, for surely," and herein lies the truth vital now as then, "for surely the party is not where numbers prevail, but where its principles are recognized."

Although Mr. Winthrop was reëlected by a large majority at the polls, still the more than thirteen hundred votes which were cast for Dr. Howe was an auspicious omen of future advances of the political revolution which had begun to assume moral and numerical importance in the old Bay State, in regard to slavery. "Even, if we seem to fail in this election," Sumner had said in his address, supporting Dr. Howe's candidacy, "we shall not fail in reality. The influence of this effort will help to awaken and organize that powerful public opinion by which this war will at last be arrested." It did not arrest the war, but it did help to awaken and organize that powerful public sentiment by which the spread of slavery to the new national territories acquired at the close of the war was at last arrested.

Sumner's opposition to the "unjust and cowardly war in the cause of slavery," as he stigmatized the Mexican war, carried him before the Supreme Court of Massachusetts, in January, 1847, with a view to test the validity of enlistments in the regiment of volunteers for the war raised in that State. Before the departure of the regiment for the field of operations, several of the younger volunteers, repenting their precipitate action, applied through counsel to the Supreme Court of the commonwealth for their discharge because of the invalidity of their enlistments.

At the hearing, Sumner, who appeared for one of the repentant recruits, attacked the proceedings by which the regiment was organized, denying in the first place that the Act of Congress, under which they were had, was in accordance with the Constitution; in the second place that the enlistments were in conformity to the Act, and in the third place that his client, being a minor, was bound by his contract of enlistment. The Court decided against Sumner on his first and second points, but in his favor on the third, and accordingly discharged his client from his military engagement.

This determined opposition to the war, Sumner followed up a month later in an effective speech in Feneuil Hall demanding the immediate withdrawal of the American troops from Mexico and the cessation of hostilities. In his regard, his country was wrong and Mexico right. Therefore, it was the duty of his country to retreat at once from the wrong it was committing. "Few if any of the conspicuous advocates for the maintenance of this war could hesitate," said he, "if found wrong in any private transaction, to *retreat* at once. . . . Such should be the conduct of the nation ; for it cannot be said too often, that the general rules of morals are the same for individuals and States."

Sumner during the year 1847, not only attacked slavery directly from the political platform, but by a literary stratagem brought his guns to bear upon it from the lecture platform as well. A lecture by him, however finished and eloquent, on the subject of slavery in this country would not have been tolerated by the lecture lyceums before whom he was a fre-

quent speaker. But what was not permitted to him to accomplish by direction, he achieved by indirection, and White Slavery in the Barbary States, which formed the title and theme of an admirable anti-slavery discourse delivered by him in Boston, and in many places in Massachusetts before popular audiences. In exposing the barbarism of white slavery in Africa, he exposed the barbarism of black slavery in America ; and in arousing among his hearers sympathy for the victims of man's inhumanity to man in foreign lands, he was exciting it also for those unhappy wretches of oppression at home. In breeding hatred and abhorrence of the one, he was, in fine, breeding it at the same time of the other also.

"From such a scene," exclaimed the lecturer at the end of a long chapter of horrors; "from such a scene we gladly turn away, while, in the sincerity of our hearts, we give our sympathies to the unhappy sufferers. Fain would we avert their fate ; fain would we destroy the system of bondage that has made them wretched and their masters cruel. And yet we must not judge with harshness the Algerian slave-owner, who, reared in a religion of slavery, learned to regard Christians guilty of a skin not colored like his own as lawful prey, and found sanctions for his conduct in the injunctions of the Koran, the customs of his country, and the instinctive dictates of an imagined self-interest. It is, then, the peculiar institution which we are aroused to execrate, rather than the Algerian slave-masters glorying in its influence, nor perceiving their foul disfigurement." The blows of the hero was beginning to fall, fast and furious, on the many-headed scourge of the land.

## CHAPTER VIII.

### THE CONFLICT THICKENS.

DEFEATED in the Whig State Convention of 1846, Sumner carried his cause directly to the people. Perhaps, *they* could put an anti-slavery soul into the Whig body. Thenceforth his hammering on the anvil of public opinion was incessant. The sparks began to fly fast and far. Gloriously in earnest was the man. He glowed and flamed with an unconquerable spirit and purpose. Such tremendous ardor, as was his, became contagious. From mind to mind the kindling frenzy passed, until in time Massachusetts was alight and ablaze from the hills to the sea. Now, as we have seen, his fulcrum was the Mexican War, now the lack of an anti-slavery backbone in a national statesman like Winthrop, now it was "White Slavery in the Barbary States." With the strong lever of humanity he was steadily tilting to its downfall a world of pro-slavery prejudice and sympathy in the Bay State. From the platform, at the bar, through the press, he was scattering burning coals, seeds of high resolves. The coals were thawing the ice from the popular heart, the seeds were to spring up in an abundant crop of anti-slavery zeal and action.

Sumner expected that this rising tide of opposition to slavery would take one of two courses, either

through the old Whig channel, or, if obstructed, then by a new one which it would make for itself. This expectation was not disappointed. The swelling flood sought, at first, to pour itself through the existing political conduit. The attempt was not successful. With accumulated strength and volume it was ultimately thrown back upon the second way.

The young anti-slavery leader, at a meeting held in Boston, September 15, 1847, for the purpose of choosing delegates to the annual Whig State Convention, in anticipation of the acquisition of new national territory, at the close of the war with Mexico, tried without avail to commit the meeting to the demand "that there shall be neither slavery nor involuntary servitude therein, otherwise than for the punishment of crime." Undiscouraged by this fresh proof of the incorrigibility of the Whigs in regard to slavery, Sumner, at the head of the Whig delegation to the State Convention, made in the Convention a final effort to bring the Whig party to an avowal of anti-slavery principles.

The Convention was, hopelessly, split into two hostile wings, designated in the political nomenclature of the day, *Cotton Whigs* and *Conscience Whigs*. The former, for the sake of material interests, were for pursuing the old-time policy of silence and oblivion on the slavery question; while the latter, for the sake of freedom, were for the adoption of an anti-slavery test in the selection of candidates, by the next National Whig Convention for the Presidency and Vice-presidency of the United States. A resolution was introduced recommending Webster, who was present to try, doubtless, upon the two warring wings

of the Convention the spell of his imposing influence and eloquence, as a candidate for the Presidency. But, nothing daunted, the *Conscience* Whigs, through John G. Palfrey, moved the following amendment to the resolution, viz.: “*Resolved*, - That the Whigs of Massachusetts will support no men for the offices of President and Vice-president but such as are known by their acts or declared opinions to be opposed to the extension of slavery.” This amendment brought on a sharp engagement between the two hostile camps of the Convention. Conspicuous in this struggle, on the one side, were Robert C. Winthrop and John C. Gray, and on the other were Palfrey, Charles Francis Adams, and Charles Sumner.

Sumner’s speech in support of the amendment was startlingly bold and defiant of consequences. “Alone in the company of nations,” he thundered, “our country assumes the championship of this hateful institution. Far away in the East, at ‘the gateways of the day,’ by the sacred waters of the Ganges, in effeminate India, slavery is condemned; in Constantinople, queenly seat of the most powerful Mahometan empire, where barbarism still mingles with civilization, the Ottoman sultan brands it with the stigma of disapprobation; the Barbary States of Africa are changed to Abolitionists; from the untutored ruler of Morocco comes the declaration of his, stamped in the formal terms of a treaty, that the very name of slavery may perish from the minds of men; and only recently from the Bey of Tunis has proceeded that noble act by which, ‘for the glory of God, and to distinguish man from the brute creation,’ —I quote his own words—he decreed its total aboli-

tion throughout his dominions. Let Christian America be taught by these despised Mahometans. God forbid that our Republic—‘heir of all the ages, in the foremost files of time’—should adopt anew the barbarism and cruelty they have renounced or condemned.”

But coming directly to the point of the debate, nothing could exceed the fearlessness of his tone. “On the present occasion,” he said, “we can only declare our course. But this should be in language sternly expressive of our *determination*. It will not be enough merely to put forth *opinions* in well-couched phrase, and add yet other resolutions to the hollow words which have passed into the limbo of things lost on earth. We must give to our opinions that edge and force which they can have only from the declared determination to abide by them at all times. We must carry them to the ballot-box, and bring our candidates to their standard. The recent constitution of Louisiana, to discourage duelling, disqualifies all engaged in a duel from holding any civil office. The Whigs of Massachusetts, so far as in them lies, must pronounce a similar sentence of disqualification upon all not known to be against the extension of slavery. . . .

“I urge this course at the present moment from deep conviction of its importance. And, be assured, sir, whatever the final determination of this Convention, there are many here to-day will never yield support to any candidate, for Presidency or Vice-presidency, who is not known to be against the extension of slavery, even though he have freshly received the sacramental unction of a ‘regular nomination.’

We cannot say with detestable morality, ‘Our party, *right or wrong*.’ The time has gone by when gentlemen can expect to introduce among us the discipline of the camp. Loyalty to principle is higher than loyalty to party. . . . Far above any flickering light or battle-lantern of party is the everlasting Sun of Truth, in whose beams are the duties of men.”

The amendment was defeated. The *Cotton* wing of the Convention triumphed in a show of hands. Altogether too strong for the Whig bottles, proved the anti-slavery wine. Sumner’s early hope that his party would become the party of freedom and humanity, was now wholly quenched. After this he entered no more a Whig State Convention. For he saw clearly enough then that the Whigs were joined to their two masters, Webster and Slavery. The *Cotton* wing of the party in Massachusetts was devoted to the former, and he in turn was given up, body and soul, to the service of self and the dear Union. From neither was humanity able, thenceforth, to extract a single generous word or act.

Sumner had now approached a crisis in his life. He was about to break away from a party which comprised the culture and wealth of the city and State to which he belonged. But the commanding ability of the young orator and leader had been so signally displayed during the two previous years, in those notable orations, “The True Grandeur of Nations,” and “The Scholar, the Jurist, the Artist, the Philanthropist,” as well as in other capital performances—political, academic, and popular—that even this powerful party with Webster at its head, could not now sneer or frown him down. Sumner was already famous, and

the centre of a fast-widening influence in Massachusetts. Such a man as he was must have seemed an utter enigma to one like Webster. The moral passion and exaltation which distinguished the younger leader, the elder had long extinguished in himself. But the celestial fires which ambition had smothered in the breast of Webster, Sumner was fanning to a fierce heat on his own heart's altar. What the former refused to undertake, destiny called the latter to accomplish.

Sumner's public and formal renunciation of his relations with the Whig party was made in the latter part of June, 1848, following the action of the National Convention of that party in Philadelphia during the first of the month, in nominating a Southern slaveholder for the Presidency. Both of the old parties through their national conventions this year, demonstrated their utter worthlessness as anti-slavery instruments. Nothing in that regard could be expected from the Democratic organization, since in deference to the South, it placed in nomination for the Presidency a Northern man who had recanted his free State opinions on the Wilmot Proviso. Lewis Cass, if not exactly a Northern man with Southern principles, was, at least, a Northern man under Southern influences, and, therefore, according to Sumner's well-known political test, was not fit to represent the free States in the National Government, much less to be chosen by their votes as the head of that Government.

But the Whigs, in their selection of General Taylor, showed an even more shameless subserviency to Southern influences. This action advertised the

friends of freedom, that thenceforth they need expect no anti-slavery performance from that party, which was the signal for secession of the more determined of its anti-slavery membership, and the starting of a new movement devoted to uncompromising opposition to the farther spread of slavery in the Union. Two Massachusetts delegates to the National Convention raised boldly in that body the standard of revolt. Charles Allen, and Henry Wilson, upon the nomination of General Taylor, declared their refusal to support him as a candidate for the Presidency. And so the great Whig bolt of forty-four years ago was inaugurated before the adjournment of the Convention.

The reception of the news of the nomination in Massachusetts verified the threatening prediction of Sumner made the previous autumn to the Whig State Convention, "that there are many here to-day who will never yield support to any candidate, for Presidency or Vice-Presidency, who is not known to be against the extension of slavery, even though he have freshly received the sacramental unction of a 'regular nomination.'" Nothing was now left to such people, Sumner among them, who desired to operate politically against the national evil, but to proceed to the organization of a new party to that end. The state of the North on the slavery question indicated plainly enough that the time was ripe for organized resistance to the extension and to the increasing pretensions of the peculiar institution of the South. This was particularly true of Massachusetts, where, after the Whig fiasco, a call was promptly issued for a convention, to found a new party of freedom.

This convention met in Worcester, June 28, 1848. There was no hall in the city large enough to accommodate the excited and enthusiastic multitude, who had, in response to the call, assembled from all parts of the State to the number of about five thousand souls, on fire with hatred of slavery. It was on the Common, in the open air that the founding of the Free Soil party, in Massachusetts, proceeded that memorable June day. The speeches of Samuel Hoar, who was made president of the permanent organization of the mass Convention, of Henry Wilson, Charles Allen, Joshua Leavitt, Joshua R. Giddings, J. C. Lovejoy, Charles Francis Adams, of Sumner, and others, rose, in the determined manhood of them to the level of the emergency. Old party ties were, then and there, renounced by each of the speakers, and by none more distinctly and forcibly than by Charles Sumner, who, beyond all the others, embodied in himself the stern spirit and purpose of the anti-slavery revolution, spreading through the free States, and manifesting itself in independent political action. "A party which renounces its sentiments," he said, firmly, "must expect to be renounced. In the coming contest I wish it understood that I belong to the party of Freedom,—to that party which plants itself on the Declaration of Independence, and the Constitution of the United States."

He was one of the first to perceive the necessity of a freedom-power to match and master the slave-power. "The lovers of freedom," said he at this time, "from both parties, and irrespective of all party associations, must unite, and by new combination, congenial to the Constitution, oppose both candidates. This

will be the FREEDOM-POWER, whose single object will be to resist the SLAVE-POWER. We will put them face to face and let them grapple. Who can doubt the result?"

He refused to choose between two evils. He had no choice when such were presented to him. He must needs reject both. Both Cass and Taylor were evils, and, as such, he rejected them. He admitted, however, that "There are occasions of political difference . . . when it may become expedient to vote for a candidate who does not completely represent our sentiments. There are matters legitimately within the range of expediency and compromise. The tariff and the currency are of this character. If a candidate differs from me on these, more or less, I may yet vote for him. But the question before the country is of another character. This will not admit of compromise. It is not within the domain of expediency. *To be wrong on this is to be wholly wrong.*"

Replying to the taunt that to vote for a third party candidate, was to throw away votes and to fail, he exclaimed in words which must long have burned in the hearts of his hearers: "Fail, sir! No honest, earnest effort in a good cause can fail. It may not be crowned with the applause of man; it may not seem to touch the goal of immediate worldly success, which is the end and aim of so much of life. But it is not lost. It helps to strengthen the weak with new virtue—to arm the irresolute with proper energy—to animate all with devotion to duty, which in the end conquers all. Fail! Did the martyrs fail, when with precious blood they sowed the seed of the Church? Did the discomfited champions of freedom

fail, who have left those names in history that can never die? Did the three hundred Spartans fail, when, in the narrow pass, they did not fear to brave the innumerable Persian hosts, whose very arrows darkened the sun? Overborne by numbers, crushed to earth, they left an example greater far than any victory. And this is the least we can do. Our example will be the mainspring of triumph hereafter. It will not be the first time in history that the hosts of slavery have outnumbered the champions of freedom. But where is it written that slavery finally prevailed?"

At the close of the mass convention at Worcester, the new political movement may be said to have been fully launched upon the tide of public opinion in Massachusetts. That it had come to stay, all the auguries of the times were loudly prophesying and proclaiming. That it would finally prevail seemed to a soul like Sumner a foregone conclusion. His confidence on that day in regard to the immediate results it was destined to produce, subsequent events amply justified. It "will sweep the heart-strings of the people," he declared. "It will smite all the chords with a might to draw forth emotions such as no political struggle ever awakened before."

On the 9th of August following the great anti-slavery demonstration at Worcester, a convention of the free States, held at Buffalo, nominated for the Presidency and the Vice-Presidency respectively, on a Free Soil platform, Martin Van Buren, of New York, and Charles Francis Adams, of Massachusetts. "We inscribe on our banners," so ran a resolve of the Buffalo Convention, "Free Soil, Free Speech, Free Labor,

and Free Men ; and under it will fight on and fight ever, until a triumphant victory shall reward our exertions." Those words struck all the chords in the breasts of thousands at the North, became the watchword of the stirring campaign, inaugurated by the new party of freedom upon the adjournment of the convention.

The political antecedents of the Buffalo nominees betokened, as nothing else could, the wide trend which the new movement was taking. Van Buren had been the foremost and most powerful of the veteran chieftains of the Democratic party, and Adams was one of the most influential and able of the younger leaders of the Massachusetts Whigs. It is well known that Webster, himself, hesitated for a while, with divided mind, between the new party of freedom, and the old Whig organization, with Zachary Taylor at its head. Like Van Buren in respect of the Democratic nomination, he had set his soul on the Whig nomination. They were both in obedience to the Southern wings of their respective parties, pushed from their stools and others, more satisfactory to the slave-power, seated in their places. Disappointed ambition and a thirst for revenge hurried Van Buren into actual revolt, and drove Webster nearly to the same length, in opposition to the candidacy of General Taylor. The supreme and calculating selfishness of the latter, however, conquered finally the fierce passion for revenge, and saved him for four sorry years to the service of the Whigs and their imperious master, the slave despotism of the nation.

If Webster, mutinous because of his personal de-

feat, stood irresolute during a few sullen weeks between the camp of the new movement and that of the Whigs, there were thousands of his old friends and followers, mutinous because of the defeat of Liberty, who betrayed no irresolution, but ranged themselves promptly under the banner flung to the breeze by the Free Soil party, as the great meeting in Faneuil Hall, on August 22, called to ratify the nominations of the Buffalo Convention, grandly attested. Over this meeting Charles Sumner was fitly chosen to preside. To him, Webster failing them, the hopes of anti-slavery Massachusetts turned for leadership, as to no other man, in the mighty political struggle with the slave-power then impending. Against a combination, resolute and uncompromising, the moral instincts of Massachusetts were reaching out toward a champion, not less determined and unyielding.

Sumner's opening speech at the ratification meeting furnished additional proof, if, indeed, such were needed, that if the hour of the irrepressible conflict in the Bay State had struck, God had provided the man for the crisis. There was a moral force and momentum of purpose, of the right, about him, which rendered him singular, preëminent, among the political opponents of slavery, not alone in Massachusetts but throughout the free States. Whatever he did, wherever he appeared, whenever he spoke, whether directly on the subject of slavery, or on some other topic, he gave more and more now an impression as of a man possessed, burning up, with the fires of one supreme idea. There now began to run through all his political utterances, a sameness of thought, a repetition of argument and historical reference and illustration, an

impressive, an almost imposing, uniformity of passion and power. All his knowledge of universal history, all his vast readings in the world of letters, all his immense acquisitions as a jurist, seemed now but so many splendid tributaries to feed and serve this one idea, to raise the strong current of his love and devotion to the level of its utmost demands. By the side of this one idea, all other questions sank from his view. He recognized but one question before the country, calling for settlement, and that was his cause, the cause of humanity. "No longer," said he with characteristic phraseology and confidence, "will banks and tariffs occupy the foremost place, and, sounding always with the chink of dollars and cents, give their tone to the policy of the country. Henceforward, PROTECTION TO MAN will be the true AMERICAN SYSTEM." It is his glory that more than any other political leader of the times, he endeavored to make this noble prophecy reality in the life of the North. And though the actual results fell short, wretchedly short of the splendid expectation, yet it cannot be doubted that there did pass a novel virtue, a moral force, into the politics of the free States, which wrought mightily everafterward for the protection of man in America.

In the campaign, which the Faneuil Hall ratification meeting inaugurated in Massachusetts, Sumner rendered signal service to the new party on the stump, addressing large audiences all over the State, from the sea to the hills. But this was not the sum of his contributions to the Free Soil movement during this first year of its appearance as a national organization. His pen was as busy as was his tongue in its behalf. He accepted besides the Free Soil nomination for Con-

gress from the Boston district. The men who nominated knew, and he knew, that he would not be elected. But the time had come when it was the duty of the friends of freedom to stand together at the ballot-box, and to make a show of hands for the sake of their principles. Union now was the watchword, and self-sacrifice and labor. It was peculiarly Sumner's, and hence he cheerfully took the post assigned him in the contest, notwithstanding his early and strong disinclination to enter upon a political career.

"It has been my desire and determination," he wrote the Committee which informed him of his nomination, "to labor in such fields of usefulness as are open to every private citizen, without the honor, emolument, or constraint of office. I would show by example (might I so aspire?) that something may be done for the welfare of our race, without the support of public station or the accident of popular favor. In this course I hope to persevere." Happily for mankind this lofty aspiration of the young scholar was not down in the book of destiny. For him the Fates had quite other plans, with the execution of which, all unconscious to himself, they were, at the moment, busily engaged.

The estimation in which Sumner was held at this time in Massachusetts may be gathered from words of a man of so much mental *sang-froid*, as was Charles Francis Adams, uttered by him on the occasion of the last rally for freedom in Faneuil Hall, on the night of November 9th, and in Mr. Sumner's absence from the meeting. Said Mr. Adams: "Charles Sumner is a man of large heart—not of that class of politicians who calculate availability, and the numbers

of the opposition, but a man who takes an enlarged view of a noble system of action, and places his shoulder to the wheel to move it forward. He is now doing more to impress on the country a new and powerful moral sentiment in connection with the movement than any man or any other ten men in the country." That certainly sounds like enthusiastic praise, and it may be extravagant praise. But this much it is safe to assert: that the reform in Massachusetts had found in a young jurist of thirty-seven its preëminent representative. Subsequent events proved that there were others in the country who equaled him in intellectual force, and in some particular lines of political leadership excelled him, as did S. P. Chase in practical statesmanship, and W. H. Seward and Henry Wilson in party management. But in moral oneness of purpose and momentum of character he was unrivaled. And at this juncture of the conflict between freedom and slavery in the Republic, those were the qualities, above all others, which freedom required her champions to possess. In sheer weight of intellect Webster had no peer in the public life of the land. But, lacking the moral qualities which distinguished Sumner, the Godlike Daniel was thrust from his throne that another might mount it. Sumner's feet, without his knowing it, were already upon the steps of Webster's throne in Massschusetts.

Another capital qualification of Sumner for leadership at this crisis was the clearness with which he apprehended the difference between political opposition to slavery, and the moral agitation against it which looked to general and immediate emancipa-

tion as a direct end. He well knew that a political party in America could not address itself successfully to such an end. For the political power of the Union could not reach slavery within the States. Party action had necessarily to proceed along Constitutional lines, in order to acquire and retain the confidence and support of the people. Slavery was local, and drew its life from municipal institutions. In the absence of positive law creating the evil, it had no standing in the national forum.

To his scholar's ear, the history of the country sounded but one note—the note of freedom. To his jurist's eye, the Constitution on no page and in no line sanctioned the holding of property in men. Freedom was national, slavery was sectional. He opposed slavery, therefore, wherever the nation was responsible for it, whether in the District of Columbia, or in the national Territories, or on the high seas under the national colors. Here he stopped, wisely circumscribing his political aims and duties by his political responsibilities. His aim as a political reformer was, in fine, to place the National Government "openly, actively, and perpetually, on the side of freedom."

The months from the formation of the Free Soil party to the meeting of Congress in December, 1849, were months of steadily increasing excitement on the subject of slavery. The slave-power, repeatedly attempting, had repeatedly failed to open the national Territories to slave immigration. Over Oregon, in 1848, there had occurred in Congress a fierce preliminary trial of strength between the sections. The South was thrown in the struggle, and the anti-slavery

principles of the Ordinance of 1787 were applied to the Territory. Defeated at this point, the slave States threw themselves with determined purpose upon California and New Mexico, in order to effect an opening into them for the peculiar institution, and thereby to preserve the political balance of the federal system in its favor. But to every such attempt the North opposed a resolute front and wall of resistance to the farther extension of slavery under the Constitution. Nevertheless, Calhoun and the South clung to the pretension of the self-extension of the evil under that instrument.

Baffled and at bay, they directly set up the cry that the stronger section was oppressing the weaker, unjustly depriving it of its Constitutional rights and equality in the Union. Disunion sentiments were flagrantly professed and passionately preached from this time at the South. The controversy invaded religious bodies, and churches resounded with the clash and clangor of conflicting moral and social ideas and interests, and began to part asunder along sectional lines.

The application of California for admission into the Union, as a free State, unloosed the winds, and gave to the rising tempest its tongue of thunder. In the lurid glare of the crisis it was presently discovered that Calhoun, about to die, had paused, with the South at his back, on the brink of disunion. Then, terror-stricken for the fate of their dear Union, Northern Whigs and Northern Democrats lifted again on deck the old pilot of compromise. Webster, with one eye on the Union and the other on the Presidency, drew down the proud colors of Liberty from

his dishonored old iron sides, and drifted away in the wake of the slave-power. On March 7, 1850, the great New Englander, and eulogist of the Pilgrim Fathers, flung the whole weight of his powerful voice and influence in the scales against the slave. California was admitted as a free State, but the Fugitive Slave Bill was enacted into law. Again was Webster's glorious Union saved at heavy cost to humanity.

From the passage of that wicked law, the anti-slavery tide in Massachusetts rose rapidly to its flood. The overthrow of Webster, Winthrop, and the Whigs followed swiftly in its course. After Sumner, although a United States Commissioner, denounced the infamous act, from the platform of Faneuil Hall, in a speech of extraordinary boldness and energy, announcing his resolute purpose to refuse his official aid to its execution in the memorable sentence, "I cannot forget that I am a *man*, although I am a *commissioner*," Massachusetts was not long in seeing that she had found Webster's successor. Webster's political crown and leadership were, in truth, then and there transferred to the brow of Sumner.

The reader must have a passage or two from this speech which was said to have made Mr. Sumner Senator. "The soul sickens,"—he is denouncing the Fugitive Slave Law—"in the contemplation of this legalized outrage. In the dreary annals of the past there are many acts of shame, there are ordinances of monarchs, and laws, which have become a by-word and a hissing to the nations. But *when we consider the country and the age*, I ask fearlessly, what act of shame, what ordinance of monarch, what law, can

compare in atrocity with this enactment of an American Congress? I do not forget Appius Claudius, tyrant Decemvir of ancient Rome, condemning Virginia as a slave, nor Louis the Fourteenth, of France, letting slip the dogs of religious persecution by the revocation of the Edict of Nantes, nor Charles the First of England, arousing the patriot rage of Hampden by the extortion of ship-money, nor the British Parliament, provoking in our country spirits kindred to Hampden, by the tyranny of the Stamp Act and Tea Tax. I would not exaggerate; I wish to keep within bounds; but I think there can be little doubt that the condemnation now affixed to all these transactions, and to their authors, must be the lot hereafter of the Fugitive Slave Bill, and of every one, according to the measure of his influence, who gave it his support. Into the immortal catalogue of national crimes it has now passed, drawing by inexorable necessity its authors also, and chiefly him, who, as President of the United States, set his name to the Bill, and breathed into it that final breath without which it would bear no life. Other Presidents may be forgotten, but the name signed to the Fugitive Slave Bill can never be forgotten. There are depths of infamy, as there are heights of fame. I regret to say what I must, but truth compels me. Better for him had he never been born. Better for his memory and for the good name of his children had he never been President."

So much for the Black Bill and its authors. Here is another passage like unto it: "Elsewhere he may pursue his human prey," the orator is now fulminating against the slave-hunter, "employ his congenial

bloodhounds, and exult in his successful game ; but into Massachusetts he must not come. Again, let me be understood. I counsel no violence. I would not touch his person. Not with whips and thongs would I scourge him from the land. The contempt, the indignation, the abhorrence of the community shall be our weapons of offense. Wherever he moves, he shall find no house to receive him, no table spread to nourish him, no welcome to cheer him. The dismal lot of the Roman exile shall be his. He shall be a wanderer, without *roof, fire, or water*. Men shall point at him in the streets, and on the highways. . . . Villages, towns, and cities shall refuse to receive the monster ; they shall vomit him forth, never again to disturb the repose of our community."

To the imbecile boast that the Compromise measures of 1850, had settled the slavery question, he replied thus : "Yes, *settled—settled*—that is the word. *Nothing, sir, can be settled which is not right.*" Warning the friends of freedom against lightly reposing confidence in weak and irresolute men, he gave them as a guide to conduct his famous recipe, which runs as follows : "Three things at least they must require : the first is *backbone* ; the second is *backbone* ; and the third is *backbone*."

This speech was made November 6, 1850, just before the annual elections in Massachusetts, which comprised that year State officers, members of Congress, and members of both branches of the Legislature. The multiplicity of political combinations which arose in the State at this time, for the purpose of influencing the elections, indicated a general breaking up of the old parties in Massachusetts, and a gen-

eral growth of the new organization. There were combinations in at least two of the Congressional districts between Whigs and Free Soilers, while combinations prevailed generally in the Senatorial districts between Democrats and Free Soilers. Indeed, there was a close alliance of these two parties during the campaign, the bargain being between the parties of the first and of the second parts of this coalition, that the Democrats should have the State officers, and the Free Soilers the United States Senator for the long term, to be chosen to the vacancy made by Mr. Webster's resignation of the office for the Secretaryship of State in Millard Fillmore's cabinet.

The Democratic and Free Soil coalition triumphed in the elections, and in due time it proceeded to the division of the various offices, in accordance with the ante-election understanding between the parties. Owing to the majority principle, which was at that time incorporated in the Constitution of the State, and the failure of some of the candidates for State offices to receive a majority of the votes, their election was thrown into the Legislature, which was controlled by the Democrats and the Free Soilers. The former were awarded the Governor, Lieutenant-Governor, five of the nine councillors, the Treasurer, and the Senator for the short term ; the latter got the Senator for the long term.

The choice of the Free Soilers in the Legislature, in the State at large, and, in fact, throughout the North, fell with singular unanimity upon Sumner, as an almost ideal representative of Free Soil principles. To the Democrats in the Legislature and in

the State at large, he was, possibly, the least objectionable candidate with Whig antecedents, who could have been presented for their suffrages on the Senatorship subject. Sumner had never been a Whig partisan, had not identified himself actively with distinctively Whig principles and policies, such as were embraced in the Tariff and the Bank questions. The Democratic legislative caucus accepted him as the candidate of that party, and thereupon he became the joint candidate for the United States Senatorship of the Free Soil and the Democratic members of the Legislature.

In pursuance of the arrangement between the parties to the coalition, the Legislature elected George S. Boutwell and Henry W. Cushman, Democrats, Governor and Lieutenant-Governor, respectively, and subsequently, Robert Rantoul, Jr., another Democrat, Senator for the short term, expiring March 4, 1851. The balloting for Senator for the long term was protracted and exciting, lasting from January 14th to April 24, 1851, when Mr. Sumner was chosen by a majority of one on the twenty-sixth ballot in a total vote in the House of 384, the Senate on its part having elected him three months before to the same office. Robert C. Winthrop was, from beginning to end, the candidate of the Whigs for Webster's seat, and was, therefore, as far as numbers go, Sumner's principal opponent before the Legislature, for the long Senatorial term.

Throughout the long contest in the Legislature, Sumner observed strictly, deviated not the breadth of a hair, from the "rule of *non-intervention*," which he prescribed to himself touching his candidacy. "No

man ever accepted office," justly remarked the *Daily Commonwealth* on the morning after his election, "with cleaner hands than Charles Sumner. He consented to receive the nomination with extreme reluctance. . . . After he was nominated, and an onslaught unprecedented for ferocity and recklessness in political warfare had seemed to render his election impossible, unless he would authorize some qualification of the alleged obnoxious doctrines of his speeches, particularly of his last Faneuil Hall speech, Mr. Sumner refused to retract, qualify, or explain. Ten lines from his pen—lines that a politician might have written without even the appearance of a change of sentiment—would have secured his election in January. No solicitation of friends or opponents could extort a line. A delegation of Hunkers applied to him for a few words to cover their retreat; in reply, he stated that he had no pledges to give, no explanations to make; he referred them to his published speeches for his position, and added that he had not sought the office, but, if it came to him, it must find him an independent man. To another Democrat, who called on him on the same errand, he said, 'If by walking across my office I could secure the Senatorship, I would not take a step.' In February, he placed in the hands of General Wilson a letter authorizing that gentleman to withdraw his name, whenever, in his judgment, the good of the cause should require it."

"In this matter, I pray you," so ran the letter to Henry Wilson above referred to, "do not think of me. I have no political prospects which I desire to nurse. There is nothing in the political field which I covet. Abandon me, then, whenever you think best,

without notice or apology. The cause is everything ; I am nothing." So straight morally did the Free Soil candidate stand that he leaned backward. Surely he possessed to a singular degree the three requisites of a representative of freedom, demanded by himself, *backbone, backbone, backbone*. He was distinctly and emphatically of the vertebrated breed of men.

Averse to doing anything while the contest lasted to influence the vote of the Legislature in his favor, Sumner, after it was decided, was not less averse to having any demonstration made in connection with his election, which might give it the air of a personal triumph. It was not *his* triumph but the cause's. The cause was to be magnified under the circumstances, not any man. The cause was everything, the individual nothing. Hence, he discountenanced a projected public demonstration at his own house on the evening of his election. His heart, said he, dictated silence. And no wonder. For his election was an event of the first magnitude in the politics of the times. It put upon him responsibilities which Atlantean shoulders could alone bear up under. Therefore, that evening he absented himself from Boston, betaking himself to Cambridge and the home of his friend, Henry W. Longfellow, where he passed the night.

There were joyful demonstrations of the friends of freedom in Boston that night, notwithstanding the flight of the victor beyond earshot of the pæans and the plaudits of his friends and followers. There was rejoicing of the friends of freedom throughout the North, because of this far-reaching achievement,

which, indeed, cheered the hearts of good men and true, across the Atlantic as well.

Congratulations poured upon him from every quarter, thick and fast. S. P. Chase wrote: "Laus Deo! From the bottom of my heart I congratulate you—no, not you, but all friends of freedom everywhere—upon your election to the Senate." Joshua R. Giddings wrote from Ohio: "A most intense interest was felt in this whole region, and I have seen no event which has given greater joy to the population generally." Elihu Burritt wrote from England: "My soul is gladdened to great and exceeding joy at the news of your election to fill the place of Daniel Webster. It has been hailed by the friends of human freedom and progress in this country with exultation. There are more eyes and hearts fixed upon your course than upon that of any man in America." John G. Whittier wrote: "I rejoice that, unpledged, free, and without a single concession or compromise, thou art enabled to take thy place in the Senate. I never knew such a general feeling of real heart pleasure and satisfaction as is manifested by all except inveterate Hunkers in view of thy election. The whole country is electrified by it. Sick abed, I heard the guns, Quaker as I am, with real satisfaction."

At the time of his election to the Senate, Charles Sumner had just turned forty. He was in the meridian of the intellectual life, and in the fullness of manly vigor and beauty. The splendid position he had reached by sheer worth—unrivaled services. Not before, nor since, we venture to assert, has public office been so utterly unsolicited. He turned not a

finger, scorned to budge an inch, would not write a line to obtain the grand prize. It went to him by the laws of gravitation and character—to him the clean of hand and pure of soul. It was the Hour finding the Man.

## CHAPTER IX.

### DEFENDER OF HUMANITY.

AT the instant that Charles Sumner entered "that iron and marble body," as his friend Charles Francis Adams very fitly characterized the Senate of the United States of those days, the last of its early giants was leaving it forever. Calhoun had already passed away. Webster was in Millard Fillmore's cabinet ; and Clay was escaping, in his own picturesque and pathetic phrase, " Scarred by spears and worried by wounds to drag his mutilated body to his lair and lie down and die." The representative of Compromise was making his exit from one door of the stage ; the representative of Conscience his entrance through another. Was it accident or prophecy ? Were the bells of Destiny ringing "in the valiant man and free, the larger heart, the kindlier hand " and ringing out "the darkness of the land " ?

But, whether accident or prophecy, Sumner had advanced into the midst of a hostile camp. On either side enemies surrounded him. Southern Whigs and Southern Democrats hated him. Northern Whigs and Northern Democrats likewise hated him. He was wholly without party affiliations—well-nigh friendless. But, thanks to the revolution which was working in the free States, he was not absolutely so. For William H. Seward was already there, and

Salmon P. Chase, and John P. Hale, and Hannibal Hamlin. Under these circumstances it behooved him to take no precipitate step. A smaller man, a leader less fearless and wise, might have blundered just here by leaping too hastily with his cause into the arena of debate.

Sumner did nothing of the kind. His self-poise and control for nine months were simply admirable. "Endurance," says Lowell, "is the crowning quality, and patience all the passion of great hearts." Certainly, during those trying months, they were Sumner's, the crowning quality and the passion. First the blade—he had to acquaint himself with the routine and business of legislation; then the ear—had to study the *personnel* of the Senate, become master of the situation.

Four times he essayed his strength on subjects of inferior interest to the one which he was carrying in his heart, as mothers carry their unborn babes. Each trial of his parliamentary wings raised him in the estimation of friends and foes. His welcome to Kossuth, and his tribute to Robert Rantoul, Jr., proved him to be an accomplished orator. His speech on the Public Land question evinced him, besides, strong in history, argument, and law.

No vehemence of anti-slavery pressure, no shock of angry criticism coming from home, was able to jostle him out of his fixed determination to speak only when he was ready, upon the paramount subject of his own and the nation's thoughts. Winter went and spring appeared, and yet his silence remained; summer, too, was waning before he was really prepared to begin. Then, like an August storm, he

burst on the Senate and the country in that powerful performance: "Freedom National; Slavery Sectional."

Like all of Mr. Sumner's efforts, whether popular, parliamentary, or academic, this one was carefully written out and memorised. He was not absolutely incapable of speaking without this sort of preparation, though what he said then was apt to lack spontaneity and the moral fervor, which distinguished his written words. When speaking without the aid of manuscript preparation, his utterance acquired an air of what may be termed literary dictation—wanted the true requisite for the forcible declamation of an orator.

He was deficient in the qualities of the great debater, as the reader has probably surmised, was not able to think effectively on his feet, to give and take hard hits within the short range of extemporaneous and hand-to-hand encounters. Clay and John Quincy Adams were preëminent in this species of intellectual warfare; Webster and Calhoun were formidable. Sumner, doubtless, never experienced that quick sympathy and marvelous interplay of emotion and intelligence between himself and an audience, which made Wendell Phillips the unrivaled monarch of the anti-slavery platform. Sumner's was the eloquence of elaboration, rather than the eloquence of inspiration. What he did gave the impression of size, of length, breadth, thoroughness. He needed space, and he needed time. These granted, he could, indeed, be tremendous.

He was tremendous on this occasion before the Senate. His theme furnishes the keynote and the

keystone of his opposition to slavery. Garrison, Phillips, and Theodore D. Weld, appealed against the evil to a common humanity, to the primary moral instincts of mankind in condemnation of its villainies and oppressions. The appeal carried them beyond and above constitutions and codes to the unwritten and eternal Right. Sumner appealed against the institution to the self-evident truths of the Declaration of Independence, to the spirit and letter of the Constitution, to the sentiments and hopes of the fathers, and to the early history and policy of the country, which they had founded.

All these were for freedom and against slavery. Their reverse was error. Public opinion was error-bound. The North was error-bound ; and so was the South. Parties and politicians were error-bound. Freedom was the heritage of the nation. Slavery had robbed it of its birthright. Slavery must be dispossessed. *Cathago est delenda*. As it was in the beginning, so it hath ever been, the world needs light. The great want of his country on the subject of slavery, Sumner believed to be light. This speech of his was but a repetition in a world of wrong of the Divine fiat, "Let there be light !" Light burst from it upon the national darkness, such light as a thunderbolt scatters, shrivelling and shivering the deep-rooted Lie and Sin of the land.

A new hour that speech struck for America. Not before in the Government had freedom touched so high a mark. Heretofore the slave-power had been arrogant and exacting. A keen observer might then have foreseen, that freedom, also, would some day become exacting and aggressive. For its advancing

billows had broken in the resounding periods and passions of its eloquent champion. The manner of the orator, which marked all his public deliverances, was that of a man speaking with authority, of a man who defers to no one, prefers no one to himself. It was, in fine, the imperious manner of an orator conscious of the possessions of great powers, and of ability to use them.

Such a champion of freedom, as was Sumner, the crisis required. God made one American statesman without moral joints when he made Charles Sumner. He could not bend the supple hinges of the knee to the South, for he had none to bend. He must needs stand erect, inflexible, uncompromising, an image of Puritan harshness and Puritan grandeur. Against his granite-like character and convictions, the haughty will of the South was to hurl itself in vain. Orator and oration revealed to the slave-power, as in a magic mirror some things, which before had seemed indistinct and illusive, like "Birnam Wood" moving toward "high Dunsinane." But the miracle was now performed, the impossible had happened. The insurgent moral sense of a mudsill and shopkeeping North has at last found, in the Government, voice and vent.

With what rising apprehensions must the South have listened to these bold and prophetic words. "The movement against slavery is from the Everlasting Arm. Even now it is gathering its forces soon to be confessed everywhere. It may not yet be felt in the high places of office and power; but all who can put their ears humbly to the ground will hear and comprehend its incessant and advancing tread."

Before the delivery of this speech, Sumner had obtained a taste of the intolerance and tyranny of the "iron and marble body," in the interest of slavery. As early as July, he had endeavored to get the floor for remarks on the Fugitive Slave Law, and was thwarted by the vigilant hostility of the masters of the Senate. He did, however, hold the ear of that body long enough in July to notify it of his intention to move at an early day the repeal of the obnoxious law, and to explain why he had not attempted to address the members on the subject before. After this it was openly asserted that he should not be allowed to carry out his intention during the session then pending. But the slave-power knew not the man whom it had determined to silence.

Vigilantly watched as he was by his foes, he was no less vigilant in watching for a parliamentary opening for himself and his cause in the citadel of slavery. On August 26, 1852, the opening came, and quickly Sumner perceived it, and in a flash was through it and upon the floor of the Chamber. On that day, the Civil and Diplomatic Bill, being under consideration by the Senate, Mr. Hunter, of Virginia, moved an amendment to the same to provide for the payment of sundry officers of the Government in the enforcement of the Fugitive Slave Law. Mr. Hunter was so intent upon safeguarding Southern property, that, for the nonce, he quite forgot that he and his colleagues were trying to silence an alert and determined adversary. No sooner had he thus exposed his flanks than Sumner dashed promptly in with an amendment to the amendment—to wit, that no such allowance be authorized for any expenses

incurred in executing the Fugitive Slave Bill, and that the same be repealed. It was in support of this amendment, and by this stratagem, that he finally obtained the floor, and made his first great speech against slavery in the Senate.

Sumner did not limit his opposition to the giant wrong of the land to any particular place, or occasion, or mode of attack. He struck it whenever, wherever, and with whatsoever he got a chance. He made use, in the noblest sense, of all the means which God and Nature put within his reach to weaken and destroy the slave-power in the Government, and the cruel, proscriptive spirit which it generated toward the colored race in the free States. His argument in favor of equality before the law in Massachusetts, and against the constitutionality of separate colored schools in Boston, before the Supreme Court of that State, December 4, 1849, was action against the national iniquity along this line. He made for the time being the Supreme Court an anti-slavery meeting-house, and its bar an anti-slavery platform. And a very effective anti-slavery agent he proved, all the more so because of the presence of Robert Morris, a black lawyer, whom he had associated with himself as counsel in the case.

So, also, should be classed his speech, entitled "The Party of Freedom : Its Necessity and Practicability," delivered before the Free Soil State Convention of Massachusetts, held at Lowell, September 15, 1852. Sumner's purpose in it was to create a freedom-power in the North, to meet and master the slave-power of the South. He was a member of the Convention to revise and amend the Constitution of

Massachusetts in 1853; and here again two of the four speeches made by him during the sessions of that body must be viewed as indirect attacks upon slavery, and its progeny, caste prejudice. One of these speeches was on the "Power of the State over the Militia," in which he argues "that in the organization of the volunteer military companies of the commonwealth there shall be no distinction of color or race." The other address was on "Bills of Rights, their History and Policy," which furnished a capital text for an anti-slavery sermon from the great lay preacher of the gospel of national righteousness.

With these sturdy blows upon the many-headed Wrong with which he was battling must be classed his address, entitled "Finger-Point from Plymouth Rock," given by him on the occasion of the festival, held August 1, 1853, in commemoration of the embarkation of the Pilgrims. Although called up to speak to the toast: "*The Senate of the United States*—the concentrated light of the stars of the Union," he, nevertheless, chose his own text, which was more in consonance with the thought which had then possession of his heart and mind. While he made no overt allusion to the irrepressible conflict then raging between freedom and slavery in the Republic, yet it was palpable to all that behind the struggles of the persecuted Puritans for religious liberty, he was exalting the struggles of the friends of freedom of his own day, and of the country founded by the devotion to duty, and the courage and constancy of those seventeenth-century reformers and foes of oppression.

But, while he thus utilized all the ways and means

which his increasing influence and opportunities were bringing to him, in well-delivered blows upon the head of the great iniquity, his seat in the Senate furnished him now his chief coign of vantage in the war. From this commanding position, he trained his heaviest guns, poured his most destructive fire upon the strongholds of the slave-power. After the long silence of those early months was broken by the broadside of his first great speech against the slave despotism, the deep thunder of his artillery was heard oftener, speaking from those heights.

Meanwhile, the temper of the South was growing more unreasonable, violent, and arrogant. Worsted as she clearly was, in the contest for political supremacy, since the admission of California as a free State into the Union, she, nevertheless, clung passionately to her pretensions to sectional leadership and control. As she had no longer anything to lose, and much to recover, her action acquired a certain defiant and reckless tone. If finally defeated in her purpose, there were, in the background, secession and a Southern Confederacy to retreat upon.

On the other hand, the North was the theatre where was enacting a kind of double drama. There was, in the first place, the capital issue between it and its Southern rival, the struggle for political supremacy in the Union; there was besides, the conflict between its aspirations for sectional ascendancy, and its anxiety for the preservation of the Union. This by-play of its aspirations and its apprehensions rose at times to the gravity of the main action. It was this double movement of the passions, which destroyed Northern unity of purpose in the presence of danger and of its

Southern antagonist, gave to its leaders a timid, halting, irresolute disposition, pulled them back from any decisive step, the moment they espied the shadow of a crisis above the national horizon. While the slave-power gained constantly in singleness and energy of aim, the freedom-power, because of this duality of purpose, was subjected to ever recurrent irregularities and perturbations of conduct. The situation at the North was still further complicated by the disintegration and chaos into which the two old parties were tumbling there, and by the fierce jealousies and rivalries of party leaders within them. The conditions, in 1854, were all propitious to Southern aggression, favorable for the commission of some bold, unprecedented crime against liberty.

Clay did not live to see the "black spirits and white, red spirits and grey," which issued from the cauldron of 1850, about which he sang his sad swan song. Calhoun had preceded him to the everlasting quiet of the grave. Webster, broken-hearted and dishonored, yet grand still in his ruin, followed their wearied way to the tomb. At last the three master lights, to which all men had looked in trial hours, were quenched in their lofty towers. The sea had risen, and the wind and the witching voices of storm and night. They were abroad and mingling, those "black spirits and white," which the music of their triune and triumphant eloquence had so often enraptured back to hell. As these imposing luminarys sank one after another into the void, darkness and tumult advanced apace through the land.

It was at this juncture, that the most striking, and, perhaps, sinister figure in American party history

loomed into greatness. Stephen A. Douglas was a curious and grim example of the survival of Viking instincts in the modern office-seeker. On the sea of politics, he was a veritable water-dog, daring, unscrupulous, lawless, transcendently able, and transcendently heartless. The sight of the Presidency affected him in much the same manner, as did the effete and rich civilizations and countries of Latin Europe affect his roving, robber prototypes twelve hundred years before. It stirred every drop of his sea-wolf's blood to get possession of it. His "squatter sovereignty" device was, indeed, the pirate ship that carried consternation to many an anxious community in the free States.

In these circumstances and with such a Northern ally, the South undertook the repeal of the Missouri Compromise. The introduction of a measure by Mr. Dodge, of Iowa, on December 14. 1853, in the Senate for the organization of the upper division of the Louisiana Purchase into the Territory of Nebraska was made the occasion for achieving this result. All that country, the reader doubtless knows, the slave line of 1820 had consecrated forever to freedom. Calhoun, bold as he was in action, had not ventured to counsel the abrogation of that memorable covenant between the sections, because the agitation growing out of such a proposition would disturb "the peace and harmony of the Union," as he put it. The South had got the worst of the bargain, he reasoned, was overreached—but a bargain was a bargain, and, therefore, the slave States should stand by their obliged faith unless released by the free.

But what the great Nullifier would not counsel, his disciples and successors dared to do. The execution of the scheme was adroitly committed to the leadership of Douglas. Thus the movement seemed to come from the North, and thus did the South hope to conceal the sectionalism and rapacity of its design. Clearly did her leaders foresee that what they would do for slavery ought to be done deftly and quickly, before the full tide and rush of public sentiment at the North should overtake and overwhelm all such mischievous attempts.

Texas, upon which Calhoun had built strong hopes of prolonged Southern ascendency in the Union, had disappointed Southern expectations in that regard. Far easier it was found to annex an empire than to people it. The emergency States, provided for by the Bill admitting Texas to Statehood, were not forthcoming to meet the exigencies of the slave-power. On the political chess-board there was but a single move left for it to make, and that was the prevention of any furthur relative increase in the number of free States. This final checkmate that power designed to accomplish, by throwing down the wall of partition between freedom and slavery erected by the Missouri Compromise. Here, indeed, were spaces larger than the thirteen original States to be occupied, to figure, sooner or later, with decisive weight and effect, in the struggle for political supremacy between the two halves of the Republic. The exclusive right of freedom to the occupancy of this immense region was to be set aside, and to slavery was to be granted an equality of interest and ownership in the same. Hence the powerful, prac-

tical utility of the "squatter sovereignty" scheme of Douglas as an instrument of demolition.

Then, too, the North might recall, so possibly the South reasoned, that plausible and pernicious notion of Webster, of the futility of reaffirming "an ordinance of nature," of reënacting "the will of God," and coöperate in the work of destruction. But the free States did not take at all to the monstrous proposition. It threw them, on the contrary, into a fever of alarm and activity, in view of the disastrous consequences, which impended from the measure, to their interests and institutions. The self-love and sectionalism of the North took fire. Everywhere through the free States there spread and blazed Northern protestation and opposition to the consummation of the dark conspiracy.

The Repeal fought its way through Congress during four stormy months. Blows fell upon it and its authors, thick and furious, from Seward, Chase, Wade, Fessenden, Giddings, and Gerritt Smith. But Sumner was the Colossus of the hour, the heart of flame of his section. It was he, more than any other, who swung the ponderous Northern hammer, and smote plot and plotters with the stern strength of the Northern Giant. Such a speech as was his "Landmarks of Freedom," only crises breed. It was a ground-swell of the moral throes of the times, a lava-tide of argument, appeal, history, and eloquence. The august rights and wrath of the Northern people thundered and lightened along its rolling lines.

"Accomplish thou thy manhood and thyself," is the cry of Humanity ringing ever in the soul of the reformer. He must needs bestir himself in obedience

to the high mandate. This labor is the special mission of great men. It was without doubt Sumner's. He stood for the manhood of the North, of the slave, of the Nation. For this he strenuously toiled. It shines in every sentence of that memorable speech, and of the shorter one in defense of the New England clergy, made at midnight, on that black Thursday of May. which closed the bitter struggle and consummated the act of repeal.

Here is a passage from the latter of these speeches: "From the depths of my soul, as loyal citizen and as Senator, I plead, remonstrate, protest, against the passage of this bill. I struggle against it as against death; but, as in death itself corruption puts on immortality, so from the sting of this hour I find assurance of that triumph by which freedom will be restored to her immortal birthright in the Republic.

*"Sir, the bill you are about to pass is at once the worst and the best on which Congress ever acted.* Yes, sir, WORST and BEST at the same time.

"It is the worst bill, inasmuch as it is a present victory of slavery. . . . Among the crimes of history another is soon to be recorded, which no tears can blot out, and which, in better days, will be read with universal shame. Do not start. The Tea Tax and Stamp Act, which aroused the patriot rage of our fathers, were virtues by the side of your transgression; nor would it be easy to imagine, at this day, any measure which more openly defied every sentiment of justice, humanity, and Christianity. Am I not right, then, in calling it the worst bill on which Congress ever acted?

"There is another side, to which I gladly turn. Sir,

it is the best bill on which Congress ever acted; *for it annuls all past compromises with slavery, and makes any future compromises impossible.* Thus, it puts freedom and slavery face to face, and bids them grapple. Who can doubt the result? It opens wide the door of the future, when, at last there will really be a North, and the slave-power will be broken—when this wretched despotism will cease to dominate over our Government, no longer impressing itself upon everything at home and abroad—when the National Government will be divorced in every way from slavery, and, according to the true intention of our fathers, freedom will be established by Congress everywhere, at least beyond the local limits of the States.

“Slavery will then be driven from usurped foot-hold here in the District of Columbia, in the National Territories, and elsewhere beneath the national flag; the Fugitive Slave Bill (Sumner would never call it *Law*), as vile as it is unconstitutional, will become a dead letter; and the domestic slave-trade, so far as it can be reached, but especially on the high seas, will be blasted by Congressional Prohibition. Everywhere within the sphere of Congress, the great *Northern Hammer* will descend to smite the wrong; and the irresistible cry will break forth, ‘No more slave States!’”

Significant enough, had the South ears to interpret it aright, was the prolonged applause in the galleries, which greeted a passage from the earlier speech, in which the orator likened the power of slavery in loosening and destroying the character of Northern men to the fabled influence of the black magnetic

mountain in the Arabian story, whereby "the iron bolts which held together the strong timbers of a stately ship, floating securely on the distant wave, were drawn out, till the whole fell apart, and became a disjointed wreck." So were the principles of Northern representatives sucked out by the black magnetic mountain of the slave-power, "and from the miserable loosened fragments is found that human anomaly, *a Northern man with Southern principles.*" "Sir," exclaimed the orator, "no such man can speak for the North," and thereupon the galleries burst into applause. Freedom had grown bolder. It had invaded the Senate Chamber, it had invaded also the galleries of that Chamber, with unwonted sounds and emotions. They were the burning brands, borne by the swift rising winds of public opinion at the North from the fierce fires, spreading and blazing from one end of that section to the other against the monumental perfidy and iniquity of the slave-power, in throwing down the sacred landmark of Liberty, erected by the Missouri Compromise.

The monition of Sumner, that the passage of the act of repeal would mark the close of an era of compromises, was made also by William H. Seward in different words, but with not less certainty of sense. "The shifting sands of compromise," said he to the Senate, "are passing from under my feet, and they are now, without agency of my own, taking hold again on the rock of the Constitution. It shall be no fault of mine if they do not remain firm. This seems to me auspicious of better days and wiser legislation. Through all the darkness and gloom of

the present hour bright stars are breaking, that inspire me with hope and excite me to perseverance." The greed of the South had overreached itself. For, in attempting to seize fresh advantages in its contest with the North for the political balance of the federal system, it had, by the passionate fears and the deep sense of injury thereby aroused toward it throughout that section, unwittingly put in peril its erstwhile strong, almost impregnable, position in the Union. The conduct of the South at this juncture of the irrepressible conflict, furnished another illustration of the truth of the saying "That whom the gods would destroy, they first make mad." Madder, and yet more mad, from this time, grew the slave section.

Sumner's bold and uncompromising tone, pending the great debate, mightily incensed the South against him. This feeling of growing hate and hostility toward him on the part of the slave-power was fanned almost into open violence by an incident, arising out of the execution of the Fugitive Slave Law in Boston, and which occurred on the evening of May 26th, in the morning of which Sumner concluded his midnight speech on the Kansas-Nebraska Bill. This was the attempt to rescue Anthony Burns by a number of citizens, who attacked the court-house where the fugitive slave was confined for safe keeping, and during which one of the slave-guard was killed by a pistol shot from the rescuing party. The news of this attempt to defeat the execution of the Slave Law, and of the killing of one of the guard in the melee, produced a profound sensation in Washington, aroused the worst passions against Sumner,

who was immediately charged with responsibility for the act, and denounced by administrative organs as a "murderer," notwithstanding the fact that at the hour of the attack upon the court-house the speech of the Massachusetts Senator, to which the South attributed the tragedy, had not then reached Boston. It was not until the next day that it arrived, by mail, in the city. But the South was in no rational mood for the reception of such swift fulfillment of Sumner's prediction, that the abrogation of the Compromise of 1820 would "scatter dragon's teeth, fructify in civil strife and feud." Even while he was speaking, the dragon's teeth were fructifying in the stony soil of the Bay State.

And now a cry was raised against Sumner, a cry of insane hate, of gathering malignity, on the part of the slave-power. He was ruthlessly assailed by the *Union* and the *Star*, organs of the administration, in language plainly intended to make him odious at the capital, and to provoke against him violence of some sort, open or secret. "Boston in arms against the Constitution," inveighed the former journal, "and an Abolition fanatic, the distant leader, safe from the fire and the fagot, he invokes from his seat in the Senate of the United States, *giving the command*. Men shot down in the faithful discharge of duty to a law based upon a Constitutional guaranty, and *the word which encourages the assassin* given by a man who has sworn on the Holy Evangelist and the presence of his Maker to support the Constitution of the country."

"*Let Sumner and his infamous gang feel*," raved the latter newspaper, "that he cannot outrage the fame

of his country, counsel treason to its laws, incite the ignorant to bloodshed and murder, and still receive the support and countenance of the society of this city, which he has done so much to villify.

"While the person of a Virginia citizen is only safe from rudeness and outrage behind the serried ranks of armed men, Charles Sumner is permitted to walk among the 'slave-catchers' and 'fire-eaters' of the South in peace and security."

Thus raged the Southern heathen against him. The sinister appeals to the mob-spirit, by such powerful papers, had their effect. In Alexandria, just across the river, the incubation of mischief advanced apace. Violence was beginning to peck through the thin shell of law and order which confined it in that region. The air of the capital was full of ugly rumors of plans and plots to put the Abolition fanatic down. Now he was to be seized as hostage for the surrender of Burns, now to receive some personal affront and violence, now to have a ball put through his head. All of which menaces were duly communicated to their object, with a view, doubtless, of driving him from his post in Washington. But those who sought to cow him into flight or silence, surely knew him not. Unawed and unterrified, he pursued the even tenor of his ways, walking to and from the Senate by Pennsylvania avenue the while, as was his wont, unarmed. One day at a restaurant, where he dined, he was threatened and insulted by a Southern fire-eater.

Like begets like. And this violent temper of the South begot at the North a temper of similar violence, as witness the following written to Mr. Sum-

ner by gallant Joseph R. Hawley, of Connecticut, at present a United States Senator from that State: "If you really think there is any danger worth mentioning, I wish you would telegraph me instantly. I will come to Washington by the next train, and quietly *stay by*. I have revolvers, and can use them—and while there should not be a word of unnecessary provocation, still, if anybody in Alexandria or Washington *really* means to trouble you, or any other free Democrat there, you know several can play at that game." This brave offer of the future Union general, was called forth by the alarming rumors in regard to Mr. Sumner's safety, which were telegraphed May 31st, from the seat of the Government to New York and other places. As Mr. Hawley was then feeling, so were thousands through the free States. If the blood of the South was fast mounting to the fighting point, so was that of the North.

So strong was the fighting feeling grown at the North, that the Secretary of the Peace Society, Rev. George C. Beckwith, who saw Anthony Burns returned to slavery, could, at thought of the deed, write in this bellicose vein to Mr. Sumner: "I think I am still true to my peace principles, but my heart is stirred to its lowest depths of indignation; and I say frankly to men who applaud what our forefathers did, that *we* have now even *stronger* reasons for resistance to the slave-power than they had to the usurpations of England."

From this time, Sumner's position at Washington became one of constantly present peril. Hated, insulted, denounced, menaced by mob violence, his life was everyday in jeopardy. But he did not flinch or

falter. Freedom was his master, humanity his guide. He climbed the hazardous steps that conducted him to duty, heedless of the dangers which arose in his path. His collisions with the slave-leaders and their Northern allies, became thenceforth more frequent and fierce. Everywhere he turned, he encountered increasing intolerance and malignity. All the powers of the man became braced, eager, alert. It was many against one, but that one was in himself a host, when roused as he was, not only by the grandeur of his cause, but also by a sense of personal indignity and persecution.

Whoever else could, *he* would not submit to Senatorial insult and bondage. His rising temper began to thrust like a rapier. Scorn he matched with scorn and clashed pride against pride. As a regiment bristles with bayonets, so bristled he with the cold and glittering steel of facts and figures, which mortally stabbed with the merciless truth of history the superlative insolence and pretensions of the South. His sarcasm was terrific, possessed the ferocity of a panther. He upon whom it sprang got his quivering flesh torn away. It is not in human nature to suffer such lacerations of the feelings, as Sumner now inflicted upon the South, and readily forgive or forget their author. The slave-power did not forgive Sumner nor forget its scars.

The rendition of the second fugitive slave from Boston was a bitter dose of humiliation and inhumanity for that city to swallow. With many of the merchant class, who had previously supported the infamous law as a part of the compromise measures of 1850, and for the sake of composing the differences between

the two halves of the Union, this ocular demonstration of its atrocious wickedness, produced a decided feeling of moral revulsion from the act. Such were now ready to ask for its repeal, to wash their hands of all complicity in the crime of returning fellow-men to bondage. They joined with the friends of freedom in signing a petition to Congress praying for the abrogation of the law. This petition, with the names of twenty-nine hundred petitioners appended, was, on June 22, 1854, presented to the Senate, and on the 26th debated by that body.

Several Senators had engaged in the wordy warfare which ensued, among whom was a Mr. G. W. Jones, of Tennessee; before Mr. Sumner gained the floor, Mr. Jones had given the Senate a taste of the bullying assurance of his section in debate, and had put the question "Can anyone suppose that, if the Fugitive Slave Act be repealed, this Union can exist?" with the air of a champion who flings his gage of battle down and dares any man to pick it up. Sumner, in beginning his speech, lifted the insolent challenge and threw it full in the face of the doughty Tennessean, thus: "Mr. President—I begin by answering the interrogatory propounded by the Senator from Tennessee (Mr. Jones): 'Can any one suppose, that, if the Fugitive Slave Act be repealed, this Union can exist?' To which I reply at once, that, if the Union be in any way dependent on an act—I cannot call it a *law*—so revolting in every respect as that to which he refers, then it ought not to exist. To much else that has fallen from that Senator I do not desire to reply. Matters already handled again and again, in the long-drawn-out debates of this session, he has

discussed at length. Like the excited hero of Macedonia, he has renewed past conflicts—‘ And thrice he routed all his foes, and thrice he slew the slain.’ ”

With this half-playful, half-dangerous attention to Mr. Jones, he shoves him into space and attacks the subject of debate, restating his arguments against the constitutionality of the Slave Act, repeating his historical parallel between it and the Stamp Act, reiterating his stern denunciation of it, as in violation of the law of God, and of the Constitution of the United States. All of which was by no means calculated to soften the feelings of the South toward him, or to turn from him its growing rage. On the contrary, they hardened the hatred of that section toward him, and unloosed upon him a pack of furious Southern representatives, abetted and outdone by a Northern man with Southern principles, John Pettit, of Indiana.

Half a dozen irate Senators, when Mr. Sumner sat down, proceeded to assail him with an acrimony and brutality, that went beyond anything of the kind before perpetrated by the Southern side of the Senate in debate. A. P. Butler, of South Carolina, and James M. Mason, of Virginia, author of the Fugitive Slave Bill, were coarsely and savagely insolent and offensive ; but, for that matter, the four other assailants of the Massachusetts Senator, were coarsely and savagely insolent and offensive to a high degree. These others it is well to remember, and I shall therefore name them. They were C. C. Clay, of Alabama, A. Dixon, of Kentucky, Stephen R. Mallory, of Florida, afterward Secretary of the Navy in the cabinet of Jefferson Davis, and that “human anom-

aly," named above, a Northern man with Southern principles.

Those were the slave champions, who, one after another, flung themselves upon the thick bosses of Sumner's shield, with a violence and virulence of vituperation more beseeming the manners of a slave plantation, than the dignity and order of the upper branch of the National Legislature. In the midst of his excitement and tirade, Mr. Butler, turning to Mr. Sumner, demanded to know whether he would return a fugitive slave; and got the swift and crushing retort: "Is thy servant a dog, that he should do this thing?" Whereupon the Carolinian was thrown into a state of mind in which his fury and amazement at such unheard-of audacity on the part of a Northern Senator, quite got the better of him. And, when, to his apoplectic interrogatory, "You stand in my presence as a coequal Senator, and tell me that it is a dog's office to execute the Constitution of the United States?" Sumner quietly remarked, "I recognize no such obligation," meaning, of course, to return fugitive slaves to their masters; the Southerner's mental condition may be better imagined than described.

Mr. Mason, who was to add to his evil eminence, as the author of the Fugitive Slave Bill, a sorry and sensational distinction in connection with the War of the Rebellion, was no whit behind Mr. Butler in insolence and violence of behavior and speech. "Why, sir," he cried, "am I speaking of a fanatic, one whose reason is dethroned? Can such a one expect to make impressions upon the American people from his vapid, vulgar declamation here, accom-

panied by a declaration that he would violate his oath now recently taken?"

Through two days the assailants of Mr. Sumner ran the debate, if debate it can be called, in which every note in alternation, and sometimes altogether, in the gamut of rage and hate, was sounded and resounded by them. On the second day of the attack upon him, Sumner obtained the floor and replied to his assailants in a speech, which, cutting deep into the pride and pretensions of the South, rankled long afterward in the bosoms of her representatives. Mercilessly he returned blow for blow upon the heads of his foes.

The opening sentences of his reply he fired at his assailants collectively, thus: "Mr. President— Since I had the honor of addressing the Senate two days ago, various Senators have spoken. Of these, several have alluded to me in terms clearly beyond the sanction of parliamentary debate. Of this I make no complaint, though, for the honor of the Senate, at least, it were well, had it been otherwise. If to them it seems fit, courteous, parliamentary, let them

"Unpack the heart with words,  
And fall a-cursing, like a very drab,  
A scullion:"

I will not interfere with the enjoyment they find in such exposure of themselves. They have given us a taste of their quality."

After this preliminary defiance of the Senatorial bunch of his assailants, he selected two of the company for more particular and energetic attention. These were Messrs. Butler and Mason, whom he pro-

ceeded immediately to acquaint with his own quality, to teach how to be severe and parliamentary at the same time. Their behavior reminded him of Jefferson's picture of the influence of slavery upon the master-class. The parent storms, and the child looks on and imitates what he sees in the circle of smaller slaves, etc. The great Virginian adjudged that master a prodigy who was able to "*retain his manners and morals undepraved by such circumstances.*" But Sumner was certain that "Nobody, who witnessed the Senator from South Carolina or the Senator from Virginia in this debate, will place either of them among the 'prodigies' described by Jefferson."

In this wise he met the accusation that he had disowned the obligations of the Constitution: "In swearing to support the Constitution at your desk, Mr. President, I did not swear to support it as *you* understand it—oh, no, sir!—or as the Senator from Virginia understands it—by no means!—or as the Senator from South Carolina understands it, with a kennel of bloodhounds, or at least, a 'dog' in it, 'pawing to get free his hinder parts, in pursuit of a slave.' No such thing. Sir, I swore to support the Constitution *as I understand it*—nor more, nor less."

Mr. Butler had, in the course of his assault on Mr. Sumner, and with the customary swagger and pretensions of his class, boasted that the independence of America was won by the arms and treasure of slaveholding communities. To this grandiose assertion, Sumner replied, with a thoroughness of knowledge, a skill of statement, a weight and scorn of diction, which pulverized the false and foolish

vaunt, and humbled the pride of its author, and the insolent assumptions of his State and section, in the dust and vanity of it.

While Sumner was pounding upon this overweening laudation of slave-holding communities, and was in the way of reducing it to powder with the great Northern hammer, its author without rising from his seat, attempted to break the force of the blows which he was receiving, by a remark in interruption of the Northern giant. But Sumner was in no mood to let pass unnoticed such a piece of bad parliamentary manners, and, accordingly, administered to the offender a fit rebuke on the spot. "And now, sir, the venerable Senator not rising from his seat and standing openly before the Senate, undertakes to deny that he has dealt in such comparisons." It is needless to say that, after this incident, Mr. Butler observed, the next time he wished to interrupt his Massachusetts antagonist, the etiquette of debate, rising from his seat and first addressing Mr. Sumner with the customary "Will the Senator allow me?"—which did not fail to elicit the speaker's dignified and invariable response, in that regard; "Certainly: I yield the floor to the Senator."

But, perhaps, the most effective and characteristic stroke of his reply was the spirited manner in which he met the peremptory assertion of Mr. Mason, that the Fugitive Slave Act does not deny the *Habeas Corpus*. But here is the passage alluded to, which is given entire:

"And now, for the present, I part with the venerable Senator from South Carolina. Pursuing his inconsistencies, and exposing them to judgment, I had

almost forgotten his associate leader in the wanton personal assault upon me in this long debate—I mean the veteran Senator from Virginia [Mr. Mason], who is now directly in my eye. With imperious look, and in the style of Sir Forcible Feeble, that Senator undertakes to call in question my statement, that the Fugitive Slave Act denies the writ of *Habeas Corpus*; and in doing this, he assumes a superiority for himself, which, permit me to tell him now in this presence, nothing in him can warrant. Sir, I claim little for myself; but I shrink in no respect from any comparison with the Senator, veteran though he be. Sitting near him, as has been my fortune, since I had the honor of a seat in this chamber, I came to know something of his conversation, something of his manners, something of his attainments, something of his abilities, something of his character—ay, sir, and something of *his* associations; and while I would not disparage him in these respects, I feel that I do not exalt myself unduly, that I do not claim too much for the position which I hold or the name which I have established, when I openly declare, that, as Senator of Massachusetts, and as a man, I place myself at every point in unhesitating comparison with that honorable assailant. And to his peremptory assertion, that the Fugitive Slave Act *does not* deny the *Habeas Corpus*, I oppose my assertion, peremptory as his own, that it *does*—and there I leave that issue."

When Mr. Sumner had made an end of his reply, Mr. Chase, who sat next to him, greeted him with the words, "You have struck slavery the strongest blow it ever received; you have made it reel to the

centre." And all things considered, taking the matter and the manner of that speech, this estimate of it by so competent a judge as was Mr. Chase, is, perhaps, not in excess of its deserts. It was, indeed, a staggering blow, which it dealt the slave-power and its champions in the Senate. There were suggestions made for his expulsion from that body. And for a while there is no doubt that some such scheme was seriously entertained by his enemies of avenging themselves and the outraged self-love of their section, upon him, the ruthless Northern giant, with his terrible trip-hammer attachment.

The proposed act of expulsion was to be based upon Sumner's alleged refusal to recognize the obligations of the Constitution. He had not refused to recognize the obligations of the Constitution, only the obligations of the Constitution to return fugitive slaves. This he distinctly and repeatedly refused to recognize. And this refusal his enemies attempted to distort into a denial of the obligation of his oath to support the Constitution. The project of expulsion was, however, finally abandoned, and Mr. Sumner was sent to Coventry instead.

Mr. Sumner's splendid reply to his assailants, while it augmented the intense and intolerable hate of the South toward him, added at the same time vastly to his popularity and influence in Massachusetts and through the free States generally. He was probably, at the moment, the most conspicuous representative of freedom, in public life, at the North. He was certainly the transcendent figure in public life in Massachusetts.

John P. Hale, on his way from Washington to

New York, heard but one expression, in steamboat and railroad car, and that from people of every political complexion, in regard to the speech. It was one of "unmingled gratification," on the part of the gentler sex especially, he added. William I. Bowditch wrote from Boston : "One gentleman whom I saw this forenoon said that he involuntarily gave three cheers when he had finished reading your speech; and an 'old Hunker' said to me smilingly, 'I really don't know but that I shall myself come out a Sumner man.'" Benjamin F. Butler, who was attending court at Concord, Mass., and seeing people of all parties, heard but one sentiment expressed in regard to the great topic of conversation, Sumner's reply to his assailants, and that was of approval. Daniel Shattuck wrote : "Being one of the old-time Whigs, I was not pleased with your election to the high seat which you hold ; for that opinion you will forgive me, I am sure, when I say that I go with you now heart and soul, and approve all you have said in defense of your native State, whose sons I know approve your course and wish you God-speed."

All of which indicated the good progress that the freedom-power was making in the North, for the development of which Sumner, in and out of Congress, was strenuously striving. Certainly, there was a revolution in public sentiment on the subject of slavery, progressing on a grand scale, through the free States, aided signally, now by one thing, now by another. Now it was hurried forward by the execution of the Fugitive Slave Act, now by the abrogation of the Missouri Compromise, and now by such scenes

in Congress and such an exhibition of backbone and power in a Northern representative as have just been depicted. The title "Defender of Humanity," rejected by Webster, had, through brave words and brave deeds, become Sumner's.

## CHAPTER X.

### STRUGGLING FOR THE FLOOR.

IN the Senate, and in the House also, every movement of the friends of freedom was met and opposed by the intolerant spirit and obstructive tactics of the friends of slavery. It was exceedingly difficult to obtain the floor, in either branch of Congress, for the introduction of matter in the interest of liberty, while in all measures pertaining to slavery, it was quite the reverse. Slavery had the right of way every day and every hour during the continuance of the sessions of the two branches of the National Legislature, and freedom had to stand aside or get ground under the Juggernaut wheels of its arrogant adversary.

Here is a Senatorial instance of just this sort of thing, included by Mr. Sumner in the edition of his works, and reproduced by him from the *Congressional Globe*. The day is July 31, 1854, and the occasion the report of the Committee on Pensions, through Mr. Seward, of a bill for the relief of the aged widow of a soldier of the war of 1812, who had died of wounds received therein. The moment the measure was introduced, a Southern Senator moved an amendment, granting a pension to the widow of the man who was killed in the attempted rescue of Anthony Burns from the Court-House in Boston on the

evening of the 26th of the previous May, as the reader will doubtless recall. Being clearly in the interest of slavery, and notwithstanding objections thereto, the amendment was adopted. Thereupon Mr. Sumner moved an amendment, repealing the Fugitive Slave Act, which was, of course, promptly ruled out of order as not "germane to the bill under consideration." The bill for the relief of the widow of a hero of the war of 1812, together with the amendment for the relief of the widow of a volunteer hireling in the execution of the Fugitive Slave Law, were put upon their passage. At this stage of the business, Mr. Sumner springs to his feet, when ensues the following struggle between him, aided by friends, and the slave-power :

MR. SUMNER—In pursuance of notice, I now ask leave to introduce a bill.

MR. STUART (of Michigan)—I object to it, and move to take up the River and Harbor Bill.

THE PRESIDING OFFICER (MR. COOPER, of Pennsylvania)—The other bill is not disposed of, the third reading of a bill for the relief of Betsy Nash.

The bill was then read a third time and passed.

MR. SUMNER—In pursuance of notice, I ask leave to introduce a bill, which I now send to the table.

MR. STUART—Is that in order?

MR. SUMNER—Why not?

MR. BENJAMIN (of Louisiana)—There is a pending motion of the Senator from Michigan to take up the River and Harbor Bill.

THE PRESIDING OFFICER—That motion was not entertained, because the Senator from Massachusetts had and has the floor.

MR. STUART—I make the motion now.

THE PRESIDING OFFICER—The Chair thinks it is in order to give the notice.

MR. SUMNER.—Notice has been given, and I now, in pursuance of notice, introduce the bill. The question is on its first reading.

THE PRESIDING OFFICER—The first reading of a bill.

MR. NORRIS (of New Hampshire)—I rise to a question of order.

MR. SUMNER—I believe that I have the floor.

MR. NORRIS—But I rise to a question of order. I submit that that is not the question. The Senator from Massachusetts has given notice that he would ask leave to introduce a bill. He now asks that leave. If there is objection, the question must be decided by the Senate whether he shall have leave or not. Objection is made and the bill cannot be read.

MR. SUMNER—Very well; the first question, then, is on granting leave, and the title of the bill will be read.

THE PRESIDING OFFICER (to the Secretary)—Read the title. The Secretary read it as follows: “A Bill to repeal the Act of Congress approved September 18, 1850, for the surrender of fugitives from service or labor.”

THE PRESIDING OFFICER—The question is on granting leave to introduce the bill.

MR. SUMNER—And I have the floor.

THE PRESIDING OFFICER—The Senator from Massachusetts is entitled to the floor.

MR. SUMNER—I shall not occupy much time, nor shall I debate the bill. Some time ago, Mr. President,

after the presentation of the Memorial from Boston, signed by twenty-nine hundred citizens without distinction of party, I gave notice that I should, at a day thereafter, ask leave to introduce a bill for the repeal of the Fugitive Slave Act. Desirous, however, not to proceed prematurely, I awaited the action of the Committee on the Judiciary, to which the Memorial, and others of a similar character, were referred. At length an adverse report was made, and accepted by the Senate. From the time of that report down to this moment, I have sought an opportunity to introduce this bill. Now, at last, I have it. At a former session, sir, in introducing a similar proposition, I considered it at length, in an argument which I fearlessly assert—

MR. GWIN (of California)—I rise to a point of order. Has the Senator a right to debate the question, or say anything on it until leave be granted?

THE PRESIDING OFFICER—My impression is that the question is not debatable.<sup>1</sup>

MR. SUMNER—I propose simply to explain my bill, to make a statement, not an argument.

MR. GWIN—I make the point of order.

THE PRESIDING OFFICER—I am not aware precisely what the rule of order on the subject is; but I have the impression that the Senator cannot debate—

MR. SUMNER—The distinction is this—

MR. GWIN—I insist upon the application of the decision of the Chair.

MR. MASON (of Virginia)—Mr. President, there is

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<sup>1</sup> Mr. Sumner has pointed out that nothing is clearer, under the rules of the Senate, than that he was in order when, introducing his bill, he proceeded to state the causes for doing so.

one rule of order that is undoubted : that, when the Chair is stating a question of order, he must not be interrupted by a Senator. There is no question about that rule of order.

THE PRESIDING OFFICER—The Senator did not interrupt the Chair.

MR. SUMNER—The Chair does me justice in response to the injustice of the Senator from Virginia.

THE PRESIDING OFFICER—Order! order!

MR. MASON—The Senator is doing that very thing at this moment. I am endeavoring to sustain the authority of the Chair, which certainly has been violated.

THE PRESIDING OFFICER—It is the opinion of the Chair that the debate is out of order. I am not precisely informed of what the rule is, but such is my clear impression.

MR. WALKER (of Wisconsin)—If the Senator from Massachusetts will allow me, I will say a word here.

MR. SUMNER—Certainly.

MR. WALKER—It is usual, upon notice being given of intention, to ask leave to introduce a bill. The bill is sent to the Chair, and it is taken as a matter of course that the Senator asking it has leave. But in this instance, differing from the usual practice, objection has been made to leave being granted. The necessity is imposed, then, of taking the sense of the Senate on granting leave to the Senator to introduce his bill. That, then, becomes the question. The question for the Chair to put is, Shall the Senator have leave?

THE PRESIDING OFFICER—That was the question proposed.

MR. WALKER—Now, sir, it does seem to me that it is proper, and that it is in order, for the Senator to address himself to the Senate with a view of showing the propriety of granting the leave asked for. He has a right to show that there would be propriety on the part of the Senate in granting the leave. I think, therefore, as this may become a precedent in future in regard to other matters, that it should be settled with some degree of deliberation.

MR. GWIN—Let the Chair decide the question.

THE PRESIDING OFFICER—The Chair has decided that debate was not in order, in his opinion.

MR. SUMNER—From that decision of the Chair I most respectfully take an appeal.

THE PRESIDING OFFICER—From that ruling of the Chair an appeal is taken by the Senator from Massachusetts. The question is on the appeal.

MR. BENJAMIN—In order to put a stop to the whole debate, I move to lay the appeal on the table. That is a motion which is not debatable.

MR. SUMNER—Is that motion in order?

THE PRESIDING OFFICER—Certainly, it is in order.<sup>1</sup>

MR. WELLER (of California)—I desire to make one remark in regard to the rule.

THE PRESIDING OFFICER—It is not in order now. The question must be taken without debate.

MR. SUMNER—Allow me to state the case as it

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<sup>1</sup> Mr. Sumner has pointed out in a footnote to this ruling of the Chair that the motion of Mr. Benjamin was clearly out of order: first, because in the Senate an appeal from the decision of the Chair on a question of order cannot be laid on the table; and, secondly, because he, himself, was already on the floor, so that Mr. Benjamin could not make a motion.

seems to me. I was on the floor, and yielded it to the Senator from Wisconsin strictly for the purpose of an explanation. When finished I was in possession of the floor ; and then it was that the Senator from Louisiana on my right—

THE PRESIDING OFFICER—Will the Senator from Massachussets give leave to the Chair to explain ?

MR. SUMNER—Certainly.

THE PRESIDING OFFICER—A point of order was made by the Senator from California [MR. GWIN], that debate was not in order upon the question of granting leave ; and the Chair so decided. The Senator from Massachusetts then lost the floor, as I apprehend, and he certainly did by following it up by an appeal. After that he could go no further. He lost the floor then again for a second time, and then it was that the Senator from Louisiana intervened with another motion, which is certainly in order, to lay the appeal on the table. That is not debatable. This, it seems to me, is the state of the case.

MR. CHASE (of Ohio)—Will the Chair allow me to make a single statement ?

THE PRESIDING OFFICER—Certainly.

MR. CHASE—The Senator from Massachusetts rose and held the floor during the suggestion made to the Chair by the Senator from Wisconsin. The Chair then, after the Senator from Wisconsin had finished his suggestion, declared his opinion to be, notwithstanding the suggestion, that debate was not in order. The Senator from Massachusetts then took an appeal, and retained the floor for the purpose of addressing the Senate on that appeal. While he occupied the floor, the Senator from Louisiana rose

and moved to lay the appeal upon the table. That will be borne out by the gentlemen present.

THE PRESIDING OFFICER—That is so; but the Chair does not understand that debate was in order on the appeal. The appeal was to be decided without debate, and therefore the Senator from Massachusetts necessarily lost the floor after he took his appeal.

MR. BELL (of Tennessee)—I would inquire whether there is not a bill already pending for the repeal of the Fugitive Slave Law?

THE PRESIDING OFFICER—I have not inquired of the Secretary, but it is my belief there is a similar bill pending; but it was not on that ground the Chair made this ruling.

MR. BELL—I would inquire whether there is not such a bill pending? Did not the honorable Senator from Ohio some time ago bring in such a bill?

MR. WELLER—I think he did.

MR. CHASE—No, sir.

MR. BELL—Then I am mistaken.

MR. CHASE—My bill is not on that subject.

THE PRESIDING OFFICER—The question is on the motion of the Senator from Louisiana to lay on the table the appeal taken by the Senator from Massachusetts from the decision of the Chair.

MR. CHASE—I ask if the motion of the Senator from Louisiana is in order, when the Senator from Massachusetts retained the floor for the purpose of debating the appeal?

MR. BENJAMIN—The Senator is not in order in renewing that question, which has already been decided by the Chair.

THE PRESIDING OFFICER—If the Chair acted under an erroneous impression in supposing that debate on the appeal was not in order, when it actually is, it was the fault of the Chair, and it would not have been in order for the Senator from Louisiana to make the motion which he did make, while the Senator from Massachusetts was on the floor. But the Chair recognized the Senator from Louisiana, supposing that the Senator from Massachusetts had yielded the floor. The Senator had taken an appeal; he followed it up by no address to the Chair, indicating an intention that he intended to debate the appeal, or the Chair certainly should so far have recognized him. But the Chair would reconsider his ruling in that respect, with the consent of the Senator from Louisiana.

MR. BRIGHT (of Indiana)—The chair will permit me to suggest that I think the motion proper to be entertained now is the one proposed by the Senator from New Hampshire [Mr. Norris]. The Senator from Massachusetts presented his bill; the Senator from New Hampshire raised the question as to whether the Senate would grant leave to introduce it; and I think the proper question to be put now is, Will the Senate grant leave to introduce a bill repealing the Fugitive Slave Law? The effect of the motion of the Senator from Louisiana would be to lay the subject on the table, from which it might be taken at any time for action. For one, I desire to give a decisive vote now, declaring that I am unwilling to legislate upon the subject, that I am satisfied with the law as it reads, and that I will not aid the Senator from Massachusetts, or any Senator, in—

THE PRESIDING OFFICER—The Senator from Indiana is certainly not in order.

MR. BRIGHT—I certainly am in order in calling the attention of the Chair to the fact that the Senator from New Hampshire—

THE PRESIDING OFFICER—The Senator from Indiana is not in order.

MR. BRIGHT—Then I will sit down and ask the Chair to state wherein I am out of order.

THE PRESIDING OFFICER—In discussing a question which is not before the Senate.

MR. BRIGHT.—I claim that the motion is before the Senate. The Senator from New Hampshire raised the question immediately, that—

THE PRESIDING OFFICER—The Chair decides otherwise.

MR. BRIGHT—Then I appeal from the decision of the Chair, and I state this as my point of order: that, before the bill was presented in legal parlance, the Senator from New Hampshire raised the question as to whether the Senate would grant leave, and that is the point now before the Senate.

THE PRESIDING OFFICER—The Chair will state the question which he supposes to be pending. The Senator from California made a point of order, that debate on the bill proposed to be introduced by the Senator from Massachusetts was not in order. The Chair so ruled. From that ruling the Senator from Massachusetts took an appeal. The Chair supposed that the Senator from Massachusetts had yielded the floor, and he gave the floor to the Senator from Louisiana, who moved to lay that appeal on the table. That is the question which is now pending. The

Chair before suggested, that if the Senator from Massachusetts had not yielded the floor, he had made a mistake in giving the floor to the Senator from Louisiana, but he did not suppose that the Senator from Massachusetts, after taking the appeal, without some indication of his intention to debate it, continued to hold the floor, and he therefore recognized the Senator from Louisiana. The Chair is sorry if he did the Senator from Massachusetts injustice in that respect; but he did not hear him, and recognized the Senator from Louisiana.

MR. BRIGHT—I would respectfully ask the Chair what has become of the motion submitted by the Senator from New Hampshire?

THE PRESIDING OFFICER—The Chair did not understand him to submit a motion, but the Senator from California took his point of order.

MR. BRIGHT—I wish to inquire of the Senator from New Hampshire whether he has withdrawn his motion?

THE PRESIDING OFFICER—It was not entertained. It is not in his power to say whether it was withdrawn or not, for it was not entertained.

MR. NORRIS—I think I can inform my friend from Indiana how the matter stands. The Senator from Massachusetts proposed to introduce a bill on notice given. I raised the question, that it could not be introduced without leave of the Senate if there was objection.

MR. SUMNER—Do I understand the Senator to say without notice given? I asked leave to introduce the bill in pursuance of notice.

MR. NORRIS—The Senator from Massachusetts, I

have already stated, offered his bill agreeably to previous notice.

MR. SUMNER—Precisely.

MR. NORRIS—The question was then raised, whether it would be received if there was objection? The question arose, whether leave should be granted to the Senator from Massachusetts to introduce the bill?

MR. SUMNER—That is the first question.

MR. NORRIS—The Senator from Massachusetts, upon the question of granting leave, undertook to address the Senate. He was then called to order by my friend from California for discussing that question. The Chair sustained the objection of the Senator from California. From the decision of the Chair the Senator from Massachusetts took an appeal; and that is where the question now stands, unless the Senator from Louisiana had a right to make the motion which he did make, which was to lay the appeal on the table.

THE PRESIDING OFFICER—The question is, unless the Senator from Louisiana will disembarrass the Chair by withdrawing it, on the motion of the Senator from Louisiana to lay the appeal on the table.

MR. SUMNER—On that motion I ask for the yeas and nays.

The yeas and nays were ordered.

MR. FOOT (of Vermont)—On what motion have the yeas and nays been ordered.

THE PRESIDING OFFICER—On the motion of the Senator from Louisiana.

MR. WALKER—I wish to know, before voting, what will be the effect of a vote given in the affirmative on

this motion? Will it carry the bill and the whole subject on the table?

MR. FOOT—An affirmative carries the whole measure on the table.

THE PRESIDING OFFICER—Yes, sir; if the motion to lay on the table be agreed to, it carries the bill with it.

SEVERAL SENATORS—No, no!

MR. BENJAMIN—The question is, whether, on the motion for leave to introduce the bill, there shall be debate? The Chair has decided that there shall be no debate. Those who vote "yea" on my motion to lay the appeal of the Senator from Massachusetts on the table will vote that there is to be no debate upon the permission to offer the bill, and then the question will be taken upon granting leave.

MR. WALKER—The Chair decides differently. The Chair decides, if I understand, that it will carry the bill on the table. Then how can we ever reach the question of leave, when objection is made?

MR. WELLER—I object to this discussion. The Chair will decide that question when it arrives. It does not arise now. I insist that the Secretary shall go on and call the roll.

MR. WALKER—Suppose some of us object to it?

MR. WELLER—Then I object to your discussing it.

THE PRESIDING OFFICER—The Chair, on reflection, thinks that the motion, if agreed to, would not have a further effect than to bring up the question granting leave.

MR. BRIGHT—I desire to understand the Chair. I do not wish to insist on anything that is not right, or that is not within the rules. That I insist upon hav-

ing. The honorable Senator from Louisiana is right in his conclusions as to his motion, provided he had a right to make the motion; but I doubt whether he had a right to make that motion while the motion of the honorable Senator from New Hampshire was pending. I do not wish, however, to consume the time of the Senate. If the effect of the decision of the Chair is to bring us back to the question as to whether we shall receive the bill or not, I will yield the floor.

THE PRESIDING OFFICER—That is it.

MR. BRIGHT—Very well.

MR. SUMNER—Before the vote is taken, allow me to read a few words from the Rules and Orders, and from “Jefferson’s Manual.”

“One day’s notice, at least, shall be given of an intended motion for leave to bring in a bill.”

That is the 25th rule of the Senate; and then to that rule, in the publication which I now hold in my hand, is appended, from “Jefferson’s Manual,” the following decisive language:

“When a member desires to bring in a bill on any subject, *he states to the House, in general terms the causes for doing it*, and concludes by moving for leave to bring in a bill entitled, etc. Leave being given, on the question, a committee is appointed to prepare and bring in the bill.”

Now I would simply observe, that my purpose was merely to make a statement—

MR. BENJAMIN—I call to order.

THE PRESIDING OFFICER—The Senator had presented his bill, and was debating it afterwards. The question is on the motion of the Senator from Louisi-

ana to lay the appeal on the table, and on that the yeas and nays have been ordered.

The appeal was ordered to lie on the table by a vote of thirty-five to ten. The Senate then proceeded to record its refusal to grant leave to introduce the bill, by a like vote of ten to thirty-five. Thus ended this hour's struggle for the floor on the part of Mr. Sumner with the slave-power, which was seconded at every point, the reader doubtless observed, by Northern representatives, eager to do its service.

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## CHAPTER XI.

### BLACK SPIRITS AND WHITE.

QUITE one thing it was to repeal the Missouri Compromise, and quite another thing to trammel up the consequences of that Act, as the slave-power speedily had occasion to experience. As events fell out afterward, the victory of the South proved worse than defeat, the defeat of the North better than victory. The iniquitous deed and the plot leading up to its consummation, united the slave States—obliterated their party lines. Southern Whigs vied with Southern Democrats in devotion to their section during the long struggle which ended in the Act of Abrogation. Northern Whigs, true to the interests of their section, learnt, in the desertion of their Southern brethren in that crisis, the grand lesson that the slave-power, in its contest for supremacy in the Union, knew no party, forgot all differences to attain its end.

This discovery broke the Whig party, and threw upon the national horizon the gigantic body of a Northern political organization, devoted not to the emancipation of slavery but to the emancipation of the nation from the domination of the slave-power. What land slavery had actually got, that it might keep, but not another inch of the soil of the Republic should it occupy. The hour which recorded the passage of

the Kansas-Nebraska Bill, recorded also this determined purpose on the part of the free States.

The two contrary ideas of freedom and slavery had thus entered a fresh, and, perhaps, final stage of counter expansion and conflict. The situation, in these circumstances, was resolved into a gladiatorial trial of strength and dexterity in the use of means, on the part of the wrestlers. Sheer strength was plainly with the North, while political dexterity was as plainly with the South. Could the Northern giant pin its agile Southern adversary to the ground and hold him there, was the momentous question which freedom had now to answer.

For the first time the Northern giant fully comprehended that the struggle was a life and death one, and that to prevail he needed the disciplined strength of a powerful party in his right hand. The Whig party went to pieces in the storm of passion which swept through the free States in the wake of the Act of Repeal. There was a moment in the swift current of events when men attempted to reunite its Northern and Southern wings in a new organization. But the explosive forces which had wrecked the Whig party made quick work of the American. Vain was every effort to find common ground for the feet of its Northern and Southern sides. In that storm and stress period there was none.

Meanwhile the excitement, produced by the overthrow of the slave line of 1820, advanced apace through the free States. The popular uprising was assuming everywhere the volume and force of a political inundation. Spontaneously, irresistibly, at widely separated points, organized move-

ments started up in opposition to the extension of slavery to the free soil of the nation. Anti-slavery Whigs, anti-slavery Democrats, anti-slavery Americans, old-time Abolitionists, and the membership of the then existing Free Soil party, were dissolving under the fervent heat of the crisis and pouring together into the new Northern party. The rapid rise of the Republican party is proof positive, that the North had learnt of the South, at last, to erect the slavery question into a paramount national issue.

The movement for the formation of a new party extended, during the year of 1854, to Wisconsin, Michigan, Ohio, Indiana, New York, and to several of the New England States, like Vermont and Massachusetts. As early as July, the Free Soil party in the latter State assumed the name of "Republican." At its annual State Convention appointed to meet in Worcester, September 7th, the managers determined to play their best card, speaking politically. And this card, it was generally agreed, was the presence of Mr. Sumner, and an address from him before the Convention. Notwithstanding the widespread confusion, and even chaos, into which the two old parties were tumbling in Massachusetts on the subject of slavery extension, there was just enough survival of the traditions of each to prevent a fusion of the anti-slavery elements of both in a common movement against the common enemy. The increasing popularity of Sumner among all classes of the State, without regard to party, was an important influence, which, at the moment, was strongly making for union of the anti-slavery Whigs and demo-

crats of the commonwealth, with the Free Soil organization, in the formation of the new party.

Sumner, by his splendid fight in Washington for freedom, had, in fine, become in Massachusetts a moral magnet, a political point of union in the midst of the flooding and confusion of the converging currents of a swiftly changing public opinion. John A. Andrew, Chairman of the Republican Provisional Committee of the State, wrote him in regard to the then approaching convention : " But more depends upon the aid you can give than upon that of any one man. Your recent battles of the Senate have shut the mouth of personal opposition, wrung applause from the unwilling, excited a State's pride and gratitude, such as rarely it is the fortune of any one to win. Your presence at the nominating convention . . . is a point which must be agreed to at once." And later . . . " we can do nothing which will so completely secure a triumphant gathering as to announce your name."

To this Macedonian appeal of the future war governor, Sumner, beset as he was by cares and labors at Washington, could not turn a deaf ear, but hearkened to the voice of his friend, and went to the aid of the new party in an address of characteristic power and eloquence. The burden of it, as of all his public utterances now, was *Cathago est delenda*. The slave-power must and shall be destroyed, broken utterly on the broad field of national politics, broken utterly within the narrower limits of the several free States in general, and of Massachusetts in particular. Opposition to the Fugitive Slave Bill, opposition to the admission of new slave States, whether from

Texas or Cuba, Utah or New Mexico, was the duty of the hour. Duty, right, justice, liberty, humanity, were the commanding entities with which he dealt as a public man. And all of these, separately or together, were thundering through him for the total annihilation of the slave-power. They thundered through him on this occasion.

His plan for the performance of the duties, which the crisis imposed upon the friends of freedom, was simple but effective. "The most obvious way," he expressed it, "is by choosing men to represent us in the National Government who will not shrink from the conflict with slavery, and also other men at home who will not shrink from the same conflict with slave-hunters." In this choice of men he apprehended correctly, lay the necessity for the new party. Loyal men must be reinforced by legal safeguards for the protection of the liberty of all who tread the soil of Massachusetts, and these must be vigorously enforced.

"Massachusetts would do well," he urged, "to imitate Vermont, which by special law places the fugitive slave under the safeguard of Trial by Jury and the writ of *Habeas Corpus*."

"A simple prohibition, declaring that no person holding the commission of Massachusetts as justice of the peace or other magistrate shall assume to act as a slave-hunting commissioner, or counsel of any slave-hunter under some proper penalty," he thought, "would go far to render the existing Slave Act inoperative." This radical idea was subsequently embodied in the Massachusetts Personal Liberty Law, enacted by the Know-Nothing Legislature of 1855,

which, also, incorporated the principle of equality before the law, announced several years before by Sumner, in a bill abolishing all discrimination on account of race or color in the public schools of the commonwealth.

"*We, too,*" Sumner pleaded with the friends of freedom, in his address on "The Anti-Slavery Enterprise: Its Necessity, Practicability, and Dignity," delivered in Boston, New-York, Brooklyn, and Auburn to large and appreciative audiences during the year 1855; "*We, too, must be united.* Among us at last mutual criticism, crimination, and feud must give place to mutual sympathy, trust, and alliance. Face to face against the Slave Oligarchy must be rallied the UNITED MASSES of the North, in compact political association—planted on the everlasting base of justice—knit together by instincts of a common danger and holy sympathies of humanity—enkindled by love of Freedom, not only for themselves, but for others—determined to enfranchise the National Government from degrading thraldom—and constituting the BACKBONE PARTY, powerful in numbers, wealth, and intelligence, but more powerful still in an inspiring cause. Let this be done, and victory will be ours."

"Though the Republican party," says "Wilson's Rise and Fall of the Slave-Power in America," "was not immediately organized in the free States, its spirit inspired and its ideas largely pervaded the North. Within one year eleven Republican Senators were elected and fifteen States had secured anti-Nebraska majorities. Out of one hundred and forty-two Northern members of the House, one hundred

and twenty were opposed to the iniquitous measure. They were in sufficient numbers not only to control the election of Speaker, but they were able, by a majority of fifteen, to declare that, 'in the opinion of this House, the repeal of the Missouri Compromise of 1820, prohibiting slavery north of  $36^{\circ} 30'$ , was an example of useless and factious agitation of the slavery question, unwise and unjust to the American people.' "

Meanwhile, fast thickening was the plot of the national tragedy. As soon as the Government had adopted the "squatter sovereignty" scheme of Douglas in settling the territorial question, the two sections precipitated their forces upon the debatable land, and closed in a death-struggle for its possession. For the first time the antagonistic social systems of the Union came into physical collision. Showers of bullets and blood dashed from the darkening skies above Kansas. Civil war between the North and the South had actually begun.

According to the new dogma, the Territories were to belong to that section which should succeed in making the greatest show of heads. The fate of slavery, *i. e.*, whether it should be "voted up or voted down," was committed, by the authors of the abrogation of the Missouri Compromise, to the arbitrament of the ballot. In the trial of strength, in this regard, which followed, the decided superiority of the free States was demonstrated. Their superior colonizing resources gave them, at once, an immense advantage in the contest for possession. Certainly Kansas could not be captured for Slavery by numerical strength.

Worsted as it clearly was in a count of polls, the South straightway threw itself back upon fraud and force as allies in the struggle with its powerful free rival. The cartridge-box was at every election in the territory substituted for the ballot-box by bands of border ruffians from Missouri, under the leadership of a United States Senator. The history of Kansas, during this period, is a history of anarchy and terror. Monstrous frauds waltzed back and forth with monstrous crimes against freedom. Popular sovereignty, private rights, public order, were all outraged by the instruments of the slave-power, from the chief magistrate of the nation to the lawless Missouri raiders.

This bloody duel between freedom and slavery agitated the North to depths not stirred before. It riveted the attention of Congress and President. The smell of powder from that far-off battle-field was to the country what the smell of meat is to a cage of wild beasts. The counter-currents of the storm with its double electric centres, accumulated and escaped chaotically as lions enraged roar and plunge against prison bars. The secondary centre of the disturbance was above Kansas, the primary over the seat of Government at Washington. From storm-centre to storm-centre the "live thunder" leaped, when Kansas began its opposite and discordant raps upon the door of Congress for admission into the Union.

At this juncture, Sumner delivered in the Senate, during two days, May 19th and 20th, 1856, a philippic of extraordinary range and power against the oppressors of a free, suffering, and heroic people. His "Crime Against Kansas" was another speech crisis-

born. It was an explosive outbreak of the forces of a long-gathering tempest, its terrific lightning-flash and stroke, the sulphurous throat and vent of the hot, surcharged heart of the North.

Contemporary accounts agree that the great orator was at his best during those two May days. The unmeasured contumely and insolence of the representatives of the slave-power, had aroused him to such militancy and fire of manner, argument, rejoinder, and invective, as he had not before displayed on the floor of the Senate. For two months Kansas had been the subject of debate in that body. And for two months he had listened to the stream of Southern insult and denunciation, poured upon himself and associates, and upon the friends of freedom at the North and in Kansas.

Contemporary accounts agree also that the audience was in keeping with the character of the occasion and the fame of the orator. With one or two exceptions the members of the Senate were in their seats, and the lobbies crowded with powerful politicians, such as Robert J. Walker, Francis P. Blair, and Thurlow Weed. Among these were visible many of the leading spirits of the House. The ladies' gallery could not contain the fair ones, who overflowed into the anteroom of the Senate Chamber. There, within his eye, the orator had his assailants. The fell and determined face of Douglas watched him with ill-concealed hate and rage from the floor while he spoke. And there darkening, hard-by, with violent and malignant passions, was the haughty and bitter countenance of his old enemy, James M. Mason. The peevish and supercilious visage of his other old

enemy, A. P. Butler, of South Carolina, crowned with silver locks, was, however, missing from the concourse of hostile faces which confronted Sumner during these two days on which he held the attention of the Senate, the lobbies, and the galleries. The Senator from South Carolina, having shot his quiver of shafts during the debate, had left for his Southern home, little dreaming, doubtless, of the discomfiture which was to overtake him from the strong arm and long bow of the Northern giant.

Expectation looked that first day from the eyes of friends and foes alike. And from the opening and solemn sentences of the famous speech, beginning, "MR. PRESIDENT, you are now called to redress a great wrong. Seldom in the history of nations is such a question presented. Tariff, army bills, navy bills, land bills, are important, and justly occupy your care; but these all belong to the courses of ordinary legislation," etc., to the impassioned and imposing peroration, closing: "In just regard for free-labor which you would blast by deadly contact with slave-labor—in Christian sympathy with the slave, whom you would task and sell—in stern condemnation of the crime consummated on that beautiful soil—in rescue of fellow-citizens, now subjugated to tyrannical usurpation—in dutiful respect for the early fathers, whose aspirations are ignobly thwarted—in the name of the Constitution outraged, of the laws trampled down, of justice banished, of humanity degraded, of peace destroyed, of freedom crushed to earth—and in the name of the Heavenly Father, whose service is perfect freedom, I make this last appeal." It is no exaggeration to say that the expecta-

tions excited by the orator and the occasion were fully realized, and, indeed, surpassed by the force and grandeur of the performance.

There are passages that make one think of Burke, and of those unequaled descriptions of his, in the Impeachment of Warren Hastings, of the sufferings of India. Here is one. Sumner has been commenting upon the character of the people of bleeding Kansas, as peaceful tillers of the soil, and continues thus: "Such are the people of Kansas, whose security has been overthrown. Scenes from which civilization averts her countenance are part of their daily life. Border incursions, which in barbarous lands fretted and harried an exposed people, are here renewed, with this peculiarity, that our border robbers do not simply levy blackmail and drive off a few cattle, like those who acted under the inspiration of the Douglas of other days, they do not seize a few persons and sweep them away into captivity, like the African slave-traders, whom we brand as pirates, but they commit a succession of deeds in which border sorrows and African wrongs are revived together on American soil, while, for the time being, all protection is annulled, and the whole Territory is enslaved.

" Private griefs mingle their poignancy with public wrongs. I do not dwell on the anxieties of families exposed to sudden assault, and lying down to rest with the alarms of war ringing in the ears, not knowing that another day may be spared to them. Throughout this bitter winter, with the thermometer at thirty degrees below zero, the citizens of Lawrence were constrained to sleep under arms, with sentinels pacing constant watch against surprise. Our souls are wrung

by individual instances. In vain do we condemn the cruelties of another age, the refinements of torture to which men were doomed, the rack and thumb-screw of the Inquisition, the last agonies of the regicide Ravaillac.

“‘ Luke’s iron crown, and Damien’s bed of steel;’

for kindred outrages disgrace these borders. Murder stalks, assassination skulks in the tall grass of the prairie, and the vindictiveness of man assumes unwonted forms. A preacher of the Gospel has been ridden on a rail, then thrown into the Missouri, fastened to a log, and left to drift down its muddy, tortuous current. And lately we have the tidings of that enormity without precedent, a deed without a name, where a candidate for the legislature was most brutally gashed with knives and hatchets, and then, after weltering in blood on the snow-clad earth, trundled along, with gaping wounds, to fall dead before the face of his wife.”

More than one slave champion, during these two days, encountered the shock of Sumner’s powerful lance, recoiled from the mastiff-like glare and spring of invective and rejoinder. Two Senators, in particular, suffered severely in this regard. They were Stephen A. Douglas and Arthur P. Butler, whom Sumner dubbed, respectively, the Don Quixote and the Sancho Panza of slavery. The physical dissimilitude of the Senatorial pair, and resemblance to the famous knight and squire of Cervantes, rendered the characterization a palpable parliamentary hit. Sumner’s punishment of these gentlemen was merciless, terrible, but, all the same, it was, to the last degree, deserved.

The Defender of Humanity got no quarter, and gave none.

"The Senator copies the British officer," the speaker is now bringing the Northern hammer crashing upon the helmet of the "Little giant." "The Senator copies the British officer who, with boastful swagger, said that with the end of his sword he would cram the 'stamps' down the throats of the American people; and he will meet a similar failure. He may convulse this country with civil feud. Like the ancient madman, he may set fire to this temple of Constitutional Liberty, grander than Ephesian Dome ; but he cannot enforce obedience to that tyrannical usurpation.

"The Senator dreams that he can subdue the North. He disclaims the open threat, but his conduct implies it. How little that Senator knows himself, or the cause which he persecutes. . . . Against him are stronger battalions than any marshaled by mortal arm, the inborn, ineradicable, invincible sentiments of the human heart; against him is nature with all her subtle forces ; against him is God. Let him try to subdue these."

Here is a specimen of the way in which the Don Quixote of slavery was handled: "With regret I come again upon the Senator from South Carolina (Mr. Butler), who, omnipresent in this debate, overflows with rage at the simple suggestion that Kansas has applied for admission as a free State, and with incoherent phrase, discharges the loose expectoration of his speech, now upon her representatives, and then upon her people. There was no extravagance of the ancient parliamentary debate which he did not repeat, nor was there any possible deviation from truth which

he did not make, with so much of passion, I gladly add, as to save him from the suspicion of intentional aberration. But the Senator touches nothing which he does not disfigure with error, sometimes of principle, sometimes of fact. He shows an incapacity of accuracy, whether in stating the Constitution or in stating the law, whether in details of statistics or diversions of scholarship. He cannot ope his mouth, but out there flies a blunder." . . .

By the time that the great speech was ended, the representatives of the slave-power were overflowing with rage and vindictiveness, bordering closely on open violence. Douglas, in particular, signalized himself by the fury and ferocity with which he threw himself upon speech and speaker. Nothing, if not savage and audacious in debate, Doug<sup>l</sup>as was certainly savage and audacious enough then. Beside himself, he foamed with choler and vituperation. Once during the turbid stream of personalities, emitted by him, he exclaimed, "Is it his object to provoke some of us to kick him as we would a dog in the street, that he may get sympathy upon the just chastisement?" No doubt now that the *Northern Hammer* in the hands of the Northern giant had inflicted serious execution upon the forces of slavery. It had struck home among them, which the frenzied outcries and execrations of the wounded fully attested.

James M. Mason followed in a personal assault which showed how deep a wound he received at the hand of Sumner two years before, and how freshly it still rankled. "I have said that the necessity of political position," stormed Mr. Mason, "alone brings

me into relations with men upon this floor who elsewhere I cannot acknowledge as possessing manhood in any form. I am constrained to hear here depravity, vice in its most odious form uncoiled in this presence, exhibiting its loathsome deformities in accusation and villification against the quarter of the country from which I come ; and I must listen to it because it is a necessity of my position, under a common Government, to recognize as an equal politically one whom to see elsewhere is to shun and despise."

But Sumner was not yet done with these gentlemen. And so when the tempest in the Senate had somewhat abated, he arose and seizing the great *Northern Hammer* threw himself upon Douglas and Mason in a fierce and final rejoinder, which must have left no doubt in the minds of his assailants, that if they were disposed to continue their assault upon him, he was likewise ready to receive them, to return them blow for blow.

To Douglas Sumner addressed himself thus : " To the Senator from Illinois I shall willingly yield the privilege of the common scold—the last word ; but I will not yield to him, in any discussion with me, the last argument, or the last semblance of it. He has crowned the outrage of this debate by venturing to rise here and calumniate me. He has said that I came here, took an oath to support the Constitution, and yet determined not to support a particular clause in that Constitution. To that statement I give, to his face, the flattest denial. When it was made previously on this floor by the absent Senator from South Carolina [Mr. Butler], I then repelled it ;

you shall see how explicitly and completely." Here Mr. Sumner paused to read extracts from his speech made June 28, 1854, in proof of his allegation, and then went on: "Yes, in face of all this, which occurred in open debate on the floor of the Senate, which is here in the records of the country, and has been extensively circulated, quoted, discussed, criticised, the Senator from Illinois, in the swiftness of his audacity, presumes to assail me. Perhaps I had better leave that Senator without a word more; but this is not the first, or the second, or the third, or the fourth time that he has launched against me his personalities. Sir, if this be agreeable to him, I make no complaint, though for the sake of truth and the amenities of debate, I would wish that he had directed his assaults upon my arguments; but since he has presumed to touch me, he will not complain, if I administer to him a word of advice.

"Sir, this is the Senate of the United States, an important body under the Constitution, with great powers. Its members are justly supposed from years to be above the intemperance of youth, and from character to be above the gusts of vulgarity. They are supposed to have something of wisdom, and something of that candor which is the handmaid of wisdom. Let the Senator bear these things in mind, and remember hereafter that the bowie-knife and bludgeon are not proper emblems of senatorial debate. Let him remember that the swagger of Bob Acres and the ferocity of the Malay cannot add dignity to this body. . . . I will not descend to things which dropped so naturally from his tongue. I only brand them to his face as false. I say also to that

Senator, and I wish him to bear it in mind, that no person with the upright form of man can be allowed ——[*Hesitation*].

MR. DOUGLAS—Say it.

MR. SUMNER—I will say it—no person with the upright form of man can be allowed, without violation of all decency, to switch out from his tongue the perpetual stench of offensive personality. Sir, this is not a proper weapon of debate, at least on this floor. The noisome, squat, and nameless animal to which I now refer is not the proper model for an American Senator. Will the Senator from Illinois take notice?

MR. DOUGLAS—I will,—and therefore will not imitate you, Sir.

MR. SUMNER—I did not hear the Senator.

MR. DOUGLAS—I said, if that be the case, I would certainly never imitate you in that capacity—recognizing the force of the illustration.

MR. SUMNER—Mr. President, again the Senator switches his tongue, and again he fills the Senate with its offensive odor. But I drop the Senator.”

Having settled his account with Douglas, Mr. Sumner turned and fired this parting shot at Mason : “ There was still another, the Senator from Virginia, who is now also in my eye. That Senator said nothing of argument, and therefore there is nothing of that to be answered. I simply say to him that hard words are not arguments, frowns are not reasons, nor do scowls belong to the proper arsenal of parliamentary debate. The Senator has not forgotten that on a former occasion I did something to exhibit the plantation manners which he displays. I will not do any more now.”

When Sumner had finished his speech and assailants, John A. Bingham, a member of the House from Ohio, who had come over to the Senate to listen to the great philippic, and who was an eye and ear witness of the scenes in the Senate Chamber which followed its delivery, became convinced that Sumner was in danger of personal violence upon the adjournment of that body. This apprehension he communicated to Mr. Sumner's colleague, Henry Wilson, who was so much struck with the force of it that he lost no time in communicating it in turn to his friend. "I am going home with you to-day," said he to Sumner; "several of us are going home with you." To which his friend made short answer, "None of that, Wilson."

If Sumner was absolutely fearless in debate, he was absolutely fearless in other respects also. And so instead of allowing Wilson and other friends to accompany him home that day, he eluded their prudence by shooting off as on other days without them. Not thinking that the object of their anxious care had already left the Capitol, Henry Wilson, Anson Burlingame, and Schuyler Colfax waited for him on the floor of the Senate, but perceiving after a while that he was not visible, they, too, left the Capitol, but stopped for some time at the porter's lodge until they learned that he had gone home. Meanwhile, Sumner, going his wonted gait along Pennsylvania Avenue, overtook William H. Seward with whom he had an engagement to dine that day. Together the two statesmen walked on as far as the omnibuses, when Mr. Seward proposed that they take one of these vehicles. But Sumner who had an errand to the

Government printing-office to look over proofs, possibly of the speech he had just delivered, excused himself and pursued his walk alone, without encountering any one to disturb the even tenor of his way.

The next day the calm continued. The hate was there, the vindictive disposition was there. The sultry atmosphere hung heavy with passion over the Capitol, but so it had for months before. The twenty-first day of May was not different from a hundred other days which had preceded it. And so it rose and died like them, without the happening of anything out of the ordinary course of events. But it was the eve of a startling act, dark and notable in the annals of political crimes in America.

When the Senate convened on the twenty-second, Mr. Sumner was in his place, and wholly unconscious of the dreadful scene which was then shortly to be enacted in that chamber about his person, of the cloud of malignant passion which was impending low above him, and was soon to burst in fury on his head. The session of the Senate was brief, owing to the death of a member of the House from Missouri. After listening to a tribute of respect to the dead legislator, the Senate, according to custom, immediately adjourned. The knock of death at the door of either branch of the National Legislature hushes for that day the wants and the voices of the living within them. The halls become deserted and silent, gloomily in keeping with the tenement of clay vacated and the everlasting quiet of the grave settling about one, whom those scenes and seats of earthly power are to know no more forever.

On this particular occasion the Senators, or at least

the most of them, upon the adjournment of the Senate, presently dispersed and went their several ways, leaving the chamber and the anteroom to a few of their number, among whom was Mr. Sumner. There lingered, besides, one or two members from the House and sundry visitors, some of whom desired to meet the Massachusetts Senator, who having managed to put them off to a more convenient hour, had seated himself at his desk, and was busily preparing his mail for the afternoon post North. Sumner with his arm-chair close to his desk, with his long legs well under it, which, by-the-way, was not movable but screwed firmly to the floor, and with his head bent low was writing very rapidly, for he was, as he expressed it, writing on time, and needed to make haste. He was oblivious of everything about him but that upon which he was engaged. He would have made a capital representation of indefatigable attention, of supreme mental absorption, for the chisel of some Michael Angelo or Thorwaldsen. There was the broad and powerful back, the Herculean shoulders and arms, the splendid leonine head, covered with masses of thick hair, the whole thrown forward and down into position, which together gave an impression of such concentration and strength as one would have to look long and far to find.

He had been thus intently employed for perhaps fifteen or thirty minutes, when, hearing his name pronounced and looking up, he saw a tall man of unfamiliar countenance, standing in front of and directly over him. The strange man was speaking and Sumner heard the words: "I have read your speech twice over carefully. It is a libel on South Carolina, and

Mr. Butler who is a relative of mine—" And then he heard no more, but received without warning a murderous blow upon his head, which the tall man dealt with a stout walking stick which he held in his hand. This blow was repeated in quick succession upon the uncovered and now bleeding head of Mr. Sumner, who was stunned and blinded by the first terrible stroke from the stick. Dazed, and no longer able to distinguish the ruffian who was assaulting him or any object in the room, but impelled by the instinct of self-defense, Sumner tried to rise to grapple with and disarm his brutal foe. But the desk under which his legs were thrust held him a prisoner. And though thus pinioned and helpless, the assault went on with the greatest ferocity, until the desk, screwed to the floor, was wrenched up by the agonized struggles of the eloquent friend of man. Released, with body bent forward, and arms thrown up to protect his bleeding head, he staggered to his feet only to fall insensible over his desk to the floor where his assailant continued the shower of blows, until seized and pulled off of his noble victim by Messrs. Morgan and Murray, two Congressmen from the state of New York.

On the floor of the Senate, Sumner lay, with blood upon his head and garments, with blood flowing from many wounds and soaking into the carpet under him, with the pallor of death upon face and brow, unconscious alike of pain, and his enemies, and the awful horror of it all. He was presently succored by faithful friends, and borne to a sofa in the lobby, where doctors dressed his wounds, and thence he was carried to his lodgings. There, suffering, bewil-

dered, almost speechless, he spent the first night of the tragedy and of his long years of martyrdom.

The author of this murderous and dastardly assault was Preston S. Brooks, a member of Congress from South Carolina, and a nephew of Butler, Mr. Sumner's old enemy. There were associated with him in the commission of the crime, two Southern accomplices, Lawrence M. Keitt, member of Congress from South Carolina, and Henry A. Edmundson, a member from Virginia. Mr. James W. Simonton, reporter of the *New York Times*, and who was an eye witness of the appalling deed, testified before the Congressional Investigation Committee, concerning the part borne by Keitt in connection with the outrage. Seeing that Brooks was striking Mr. Sumner, who had already fallen to the floor, Mr. Simonton, with others, ran towards them to interfere, when "Keitt rushed in, running around Mr. Sumner and Mr. Brooks with his cane raised, crying, 'Let them alone, G—d d—n you !'"

At the time of the assault, there were in the ante-room of the Senate several Senators known to be hostile to Mr. Sumner. Among these was Douglas, who had, two days before, asked in debate whether it was Mr. Sumner's intention to provoke some of them to kick him as they "would a dog in the street"; there was also Robert Toombs, who, on that day, and a subsequent one from his place in the Senate, boldly approved the act; there was, besides, John Slidell, of Louisiana, who, with Mason, of Virginia, were to cut such a sorry figure in the Rebellion. That beautiful specimen of Southern chivalry avowed without a blush, in the Senate, that he and

his friends in the anteroom heard "without any particular emotion" "that somebody was beating Mr. Sumner."

On the next day when the Senate convened, Mr. Wilson, immediately after the reading of the journal, called the attention of that body to the outrage which had been enacted in that chamber the preceding day upon his colleague, and suggested that steps should be taken to redress the wrong, "and to vindicate the honor and dignity of the Senate." Mr. Seward thereupon moved the appointment by the president of a committee to inquire into the circumstances attending the tragic affair. The appointment of the committee, on motion of Mr. Mason, was taken out of the hands of the president and put in those of the Senate, who proceeded to exhibit its animus in respect of the matter by ignoring the parliamentary claims of Messrs. Seward and Wilson to places on the committee, and by electing instead two Southern Senators and three Northern ones under Southern influences to conduct the proposed investigation.

The Northern Doughfaces it is well to name. They were a Mr. Allen, of Rhode Island; a Mr. Dodge, of Wisconsin; and one Lewis Cass, of Michigan, who the reader will recall as having for the sake of the Presidency, recanted his free State opinion touching the prohibition of slavery in the national Territories. The committee performed, to the satisfaction of those who appointed it, its partisan and non-committal part, merely giving in its report a brief statement of the facts of the case, without any expression of opinion thereon, though distinctly instructed by the

resolution of Mr. Seward that so it should do. It begged to inform the Senate that it could not arrest or punish a member of the House for breach of its privileges, and that the most that it could do in the premises was to make a complaint to the House of which Brooks was a member. That is what the Senate did, by simply ordering that "a copy of this report, and the affidavits accompanying the same, be transmitted to the House of Representatives." And there the pro-slavery Senate dropped the matter.

Quite otherwise was the subject treated by the House, which was at that time presided over by a Northern Speaker with Northern principles, and controlled by a strong anti-Nebraska membership. The committee appointed to investigate the matter was composed, as was that of the Senate, of three from the North and two from the South, with this decided difference, however, that, in the case of the House committee, the three from the North were not of the breed of Northern Doughfaces. They accordingly concluded their report to the House with resolutions expelling Brooks, and censuring Keitt and Edmundson. The Northern members of the committee were Lewis D. Campbell, of Ohio; Travis E. Spinner, of New York; and A. C. M. Pennington, of New Jersey.

The two Southern members, one of whom was Howell Cobb, of Georgia, the other some Southern obscurity from Arkansas, of the name of Greenwood, signed a minority report which concluded with a resolution of want of jurisdiction over the "alleged assault" case on the part of the House, and with a cool refusal "to express any opinion on the subject," which

the House promptly voted down by a large majority. Owing to the rule requiring a two-thirds vote to expel a member, the resolution of expulsion was lost, the vote standing yeas 121, nays 95. Keitt was censured, while Edmundson, probably for lack of direct evidence implicating him in the attack on Mr. Sumner, escaped.

Brooks, in anticipation of the adverse action of the House, had placed his resignation in the hands of the Governor of South Carolina, to take effect on the announcement by him to the House of his resignation. After the vote on the resolution of expulsion, seeing how matters would go with him next, and to avoid a vote of censure which would have certainly followed, the Southern bully obtained the floor and addressed the house in vindication of himself, at the close of which he announced that he was "no longer a member of the Thirty-fourth Congress."

In the course of his vindication, which was altogether worthy of him, the Congressional ruffian let the House into his confidence thus: "I went to work very deliberately, as I am charged—and this is admitted—and speculated somewhat as to whether I should employ a horsewhip or a cowhide; but knowing that the Senator was my superior in strength, it occurred to me that he might wrest it from my hand, and then—for I never attempt anything I do not perform—I *might have been compelled to do that which I would have regretted the balance of my natural life.*" At this point a voice from the house said, "He would have killed him!"

Brooks's constituency vindicated their knight of the bludgeon by "triumphantly" reëlecting him to the

Thirty-fourth Congress, where in the August following his resignation he again took his seat. The fact is, had Preston S. Brooks's reëlection depended, not alone upon the District in South Carolina, but upon the whole South, he would have received it not less triumphantly. After the commission of the crime he became the hero of that section, was held up for the imitation of its youth, the admiration of its manhood, and for the enthusiastic support and gratitude of every white man, woman, and child true to its interests. Brooks had, verily, become the Southern darling of the hour.

At a meeting of some of his admirers "*Gutta-percha*" was highly commended as a proper weapon of reply to "Northern fanatics." Another meeting voted the champion a cane with the inscription: "*Use knockdown arguments.*" Another still presented him with the new symbol of Southern chivalry, bearing the classic legend "*Hit him again.*" While yet a fourth proposed to garnish another of the noble parliamentary weapons with "a device of the human head, badly cracked and broken." The South had gone mad, was indeed well advanced in the terrible suicidal and homicidal mania which was four years later to reach its climax in the great Rebellion.

The fever which precedes the delirium of war, had attacked the much-suffering North also. The Kansas iniquity and the outrage upon Sumner tended to send the blood of the free States to the point where peace becomes impossible, and an appeal to force in the settlement of their long-standing account with the slave States inevitable. Excitement was everywhere, excitement was filling the land with the wide,

chaotic rumblings of the gathering tempest. Flashes of the pent-up passions of a day of wrath, which were leaping from the Southern skies, were breaking likewise out of the thunder cloud which had risen in the Northern air and was spreading over the free States.

Two circumstances, growing out of the assault upon Mr. Sumner, indicated that the tension of the storm would presently reach its point of explosion. One of these is the story of Henry Wilson's denunciation in the Senate of the attack as "a brutal, murderous, and cowardly assault," and what came of it. The first thing which came of it was Mr. Butler's exclamation from his seat—"You are a liar!" which seemed to signify that the period of argument was fast passing away and that the period of violence was fast coming in. The second thing which came of it, were threats of personal violence from Brooks's friends and a challenge from the bully himself. The manner in which Mr. Wilson met the latter was simply admirable, at once dignified and spirited, altogether worthy of the superior civilization of his section.

"I characterized," so runs Wilson's reply to the challenge, "I characterized, on the floor of the Senate, the assault upon my colleague as 'brutal, murderous, and cowardly.' I thought so then. I think so now. I have no qualification whatever to make in regard to those words. I have never entertained in the Senate or elsewhere, the idea of personal responsibility, in the sense of the duellist. I have always regarded duelling as the lingering relic of a barbarous civilization, which the law of the country has branded as crime. While, therefore, I religiously believe in

the right of self-defense in its broadest sense, the law of my country and the matured convictions of my whole life alike forbid me to meet you for the purpose indicated in your letter." After this Wilson armed himself, for he was determined, if assailed, to defend his life at any cost.

The other circumstance was Anson Burlingame's stern denunciation of the outrage on the floor of the House, and what came of it. Burlingame pictured how, "The Senator from Massachusetts sat in the silence of the Senate Chamber, engaged in the employments appertaining to his office, when a member from this House, who had taken an oath to sustain the Constitution, stole into the Senate, that place which had hitherto been held sacred against violence, and smote him as Cain smote his brother." Whereupon the following threatening scene ensued :

MR. KEITT (in his seat)—That is false.

MR. BURLINGAME—I will not bandy epithets with the gentleman. I am responsible for my own language. Doubtless he is responsible for his.

MR. KEITT—I am.

MR. BURLINGAME—I shall stand by mine.

"Sir," Burlingame continued, "the act was brief, and my comments on it shall be brief also. I denounce it in the name of the Constitution it violated. I denounce it in the name of the sovereignty of Massachusetts, which was stricken down by the blow. I denounce it in the name of civilization, which it outraged. I denounce it in the name of humanity. I denounce it in the name of that fair play which bullies and prize-fighters respect."

The author of this five-time denounced crime was,

of course, ready with a challenge, which was promptly accepted by Burlingame, who named the following terms: "Weapons, rifles; distance, twenty paces; place, District of Columbia; time of meeting, the next morning." These terms were modified by Congressman Campbell, who acted as Mr. Burlingame's friend, so that the place of meeting read, "Clifton House, Canada," instead of District of Columbia, as in the original. To Mr. Campbell's substitute Brooks's friends made great ado, alleging that it would not be safe for their principal to travel through the North to the place of meeting, and accordingly refused to agree to the terms, which had the effect to prevent the meeting from taking place. It is possible that the choice of weapons, as well as the choice of place, exerted upon the Southern fire-eaters a deterrent influence. For it was understood that Burlingame was a dead shot with the rifle. In naming it the Massachusetts Congressman meant, without doubt, to kill his antagonist. The meeting between Burlingame and Brooks never took place, but the duel between Massachusetts and South Carolina, freedom and slavery, was only postponed.

The Legislature of Massachusetts launched against the outrage its stern condemnation, and called loudly upon Congress to punish the wrong-doer. Public meetings throughout the State, and, for that matter, throughout the free States, testified to the universal horror excited by the crime at the North, and the vehemence of the tide of indignant feeling, which then swept over the face of that section. Men, without regard to party, shouted shame on the dastard and his deed. A tremendous chorus of popular

amazement and indignation burst like thunder from one end of the free States to the other.

President Wayland, of Brown University, Providence, R. I., who in 1835 gave the Abolitionists the cold shoulder, and actually defended, to Harriet Martineau, the Broadcloth mob which dragged Garrison through the streets of Boston, was in 1856 in a wholly different mood. At an indignation meeting in Providence he declared: "I was born free, and I cannot be made a slave. I bow before the universal intelligence and conscience of my country, and, when I think this defective, I claim the privilege of using my poor endeavors to enlighten it. But to submit my reason to the bludgeon of a bully or the pistol of an assassin I cannot; nor can I tamely behold a step taken which leads inevitably to such a consummation."

Peleg W. Chandler, of Boston, who for ten years had been Mr. Sumner's political opponent, said, at a great meeting in Faneuil Hall, that the blow struck at Sumner was "a blow not merely at Massachusetts, a blow not merely at the name and fame of our common country, it is a blow at constitutional liberty all the world over, it is a stab at the cause of Universal Freedom. It is aimed at all men, everywhere, who are struggling for what we now regard as our great birthright, and which we intend to transmit unimpaired to our latest posterity."

Professor C. C. Felton, whose early intimacy with Sumner, the reader will recall, but which the latter's political course had brought to an end, at a public meeting in Cambridge confessed that while he had had nothing to do with the election of his sometime

friend to the Senate, yet that under the then circumstances had he “ five hundred votes, every one should be given to send him back again.”

At Concord, Ralph Waldo Emerson, who, when he spoke, like the shot fired by the farmers in 1775, was heard round the world, said, as only he could say it: “ But I wish, sir, that the high respects of this meeting shall be expressed to Mr. Sumner, that a copy of the resolutions that have been read may be forwarded to him. I wish that he may know the shudder of terror that ran through all this community on the first tidings of this brutal attack. Let him hear that every man of worth in New England loves his virtues—that every mother thinks of him as the protector of families—that every friend of freedom thinks him the friend of freedom. And if our arms at this distance cannot defend him from assassins, we confide the defense of a life so precious to all honorable men and true patriots, and to the Almighty maker of men.”

Oliver Wendell Holmes, whom his best friend or worst enemy could not accuse of sympathy for the slave, proposed at the dinner of the Massachusetts Medical Society, at the Revere House, Boston, this sentiment: “ *The Surgeons of the City of Washington—God grant them wisdom!* for they are dressing the wounds of a mighty empire and of uncounted generations.”

It was, in truth, exactly as Henry Wilson declared on the floor of the Senate in reply to Butler of South Carolina, “ that of the twelve hundred thousand people of Massachusetts, you cannot find in the State one thousand, administration office-holders included,

who do not look with loathing and execration upon the outrage on the person of their Senator and the honor of their State." And he went on to add what the facts would have borne out, that, "The sentiment of Massachusetts, of New England, of the North, approaches unanimity." It did, indeed, thanks to the violence of the Southern desperado.

What became of Brooks? We may as well tell now what remains to be told in regard to him, and thus rid these pages of the infamous man. He was indicted by the Grand Jury of the District of Columbia, tried, and convicted of the crime, and sentenced to pay a fine of three hundred dollars. Eight months after the commission of the outrage, he expired in great agony of membranous croup, in the city of Washington. So terribly did he suffer, just before dying, that it was reported in the newspapers the next morning that, "He endeavored to tear his own throat open to get breath." His uncle, Senator Butler, did not survive him long, but passed away at his far-away Carolina home, in that very month of May, and almost on the very date on which, a year before, the assault on Mr. Sumner was made. The two deaths following so quickly upon that horror, and the one upon the other, seemed to tens of thousands at the North like a direct interposition of a just God in the affairs of the nation. And until we know more about the occult ways of the Divine Governor of this world of ours who shall say that this popular feeling was only a silly popular superstition? Not the writer of these pages certainly.

But to return to Sumner. On the wings of the murderous assault upon him, he mounted to an

enduring place in the Pantheon of the Republic. He became associated thenceforth with the weal of States, his fate with the fortunes of a great people. The mad act had done for him what similar madness had done for similar victims, magnified immensely his name and influence, secured forever his position as an imposing historic character. The New York *Courier and Enquirer* observed on this head in the summer of 1856, as follows :

"The fact is incontestable, that, when the Massachusetts Senator again crosses the threshold of that Senate Chamber, slavery will have to confront the most formidable foe it ever had to face before the public eye. . . . Hitherto he has figured but in one character, the assailant of slavery; henceforth he will be also the accredited asserter and champion of the most sacred right of freedom of speech, and as such will command tenfold greater consideration. His antagonists have affected to despise him before, and to treat him with scorn. The day for that has passed. The public man, who has once been the occasion of such an outburst of sympathy and goodwill as has within the last week sprung from the mouth of millions upon millions of his countrymen, is no longer a man to be disdained. He has henceforth position, power, and security beyond any of his adversaries."

Ah ! It was the old, wonderful story. The miracle of miracles was again performed ; the good man's blood had turned into the seed-corn of his cause.

The story of the good man's sufferings reveals a long and harrowing struggle for health. He had upon the head two deep gashes, which laid the scalp

open to the bone. The strength of the cranium and the thick mass of hair which covered the scalp, together, saved him, probably, from a fatal fracture of the skull. Besides these injuries there were bruises on his face, hands, and arms. Bad as these were, they were not the worst hurt which followed the assault. Had there been no nervous shock, Sumner would have speedily recovered from the effects of those. But there was a serious nervous shock. As the case progressed, this was plainly manifested in the patient's sleeplessness and loss of flesh, in his incapacity of the briefest mental effort without pain and pressure in the head, and soreness in the spine, also what appeared like a partial paralysis of the motor muscles of the lower limbs, which rendered physical exertion extremely exhausting. To the physicians who were watching over the invalid "it was clearly evident that the brain and spinal cord had been the seat of a grave and formidable lesion," such as would sometimes require months and even years to heal. It did actually require years in the case of Sumner.

From land to land, during four years, he passed, pursuing "the phantom of a cup that comes and goes." It was, at first, almost impossible for him to understand the extreme gravity of his injuries. He was sure that he would be well in two weeks and at his post in the Senate. But the weeks became months, and still he was not well or able to resume his seat. From Washington, when he could endure the fatigue of so short a journey, he went to Silver Springs near by, where he was the guest of the venerable Francis P. Blair. In July he reached Philadelphia, where he

was tenderly entertained at the home of his friend, Rev. W. H. Furness, and later received similar entertainment at the cottage of Mr. James T. Furness at Cape May. Thence he betook himself to Cresson, in Pennsylvania, where he tried the effect of mountain air upon his painful malady. Here he showed signs of gratifying improvement, but his impatience of further inaction, and a desire to go home to vote for Frémont and Dayton, and for his gallant and devoted friend, Anson Burlingame, led him to turn his face homeward at the beginning of November.

The popular reception, which his return to Boston evoked, was splendid, enthusiastic, imposing, rivaling in magnitude and impressiveness that other which he was to receive eighteen years afterward. It was, in truth, a vast groundswell and surge of the overflowing sympathy, admiration, and love felt for him within the mighty mother-heart of grand old Massachusetts.

On Sunday morning, November 2d, Mr. Sumner arrived in the vicinity of Boston, and went direct to the home of his friend, Professor H. W. Longfellow, in Cambridge. On Monday morning he and others drove to the house of Amos A. Lawrence, at Longwood, in the town of Brookline, where in the afternoon, he was joined by a large number of invited guests, who had driven to Longwood from the State House. From this point the triumphal journey into Boston began. When the carriages reached the boundary line of the city they were met by a cavalcade of a thousand horsemen and the Committee of Arrangements, with the Mayor of Boston, Alexander H. Rice, and the venerable and illustrious patriot, Josiah

Quincy, at their head. Eloquent words of introduction by Professor F. D. Huntington, now a Bishop in the Protestant Episcopal Church, of welcome by Mr. Quincy, and of reply by Mr. Sumner followed, when the long and almost royal progress through the city commenced.

Along the line of march the people had gathered by the tens of thousands, demonstrative, eager to catch a glimpse of the Defender of Humanity and of their liberties. What the multitude could not express by look and shout, inscriptions upon the houses helped to reveal, inscriptions grimly commemorative of that black day of May when the black deed was done which laid low their leader, him who then was returning to them bearing his sheaves, and alack! his wounds also. What wonder that they filled the barouche, in which their hero rode, with flowers, and the city with loud huzzas. At the State House, amid indescribable scenes, Professor Huntington again spoke eloquent words of introduction, while the Governor of the Commonwealth, Henry J. Gardner, greeted the illustrious invalid in a welcome, warm and gushing as from the heart of the people whom he represented. And then Sumner replied, or at least he attempted to reply, but was obliged, owing to failure of voice and strength, to desist after speaking for the space of three minutes only.

Other expressions of the State's sympathy and affection for the distinguished sufferer there would have been had he not himself checked them. In the summer of 1856, Governor Gardner recommended the assumption of the expenses of Mr. Sumner's illness by the commonwealth, and the Senate promptly

adopted a resolve to the same effect. As soon as Mr. Sumner heard of the motion he instructed Mr. Burlingame to telegraph his positive declination, adding at the same time, "Whatever Massachusetts can give, let it all go to suffering Kansas."

About the same time a subscription was started to express "to the Hon. Charles Sumner, in some permanent and appropriate form, our admiration of his spotless private and public character, of our lively gratitude for his dauntless courage in the defense of freedom on the floor of Congress, and especially our unqualified approbation of his speech in behalf of free Kansas, delivered in the Senate on the 20th of May last," etc., etc. Among the early signers of the paper were Josiah Quincy, Henry W. Longfellow, Jared Sparks, F. D. Huntington, R. H. Dana, Jr., Edward Everett, Edwin P. Whipple, Alexander H. Rice, Charles Francis Adams, Amasa Walker, Wm. Claflin, and Eli Thayer.

One thousand dollars were already subscribed when tidings of this movement reached Sumner. Grateful as the action was to him he did not hesitate a moment as to the course to pursue in regard to the matter. From his sick bed he dictated an explicit refusal to allow the movement to proceed further, and sent it to Mr. Carlos Pierce, the reputed originator of the flattering project. "It is enough for me," so ran the note, "that you and your generous associates approve what I said. Such sympathy and support in the cause, of which I am a humble representative, is all that I ask for myself, or am willing to accept. But the cause itself has constant claims on us all; and I trust you will not deem me too bold, if I ex-

press a desire that the contributions intended for the testimonial to me may be applied at once, and without abatement of any kind, *to the recovery and security of freedom in Kansas.*"

And this was done. At a meeting of the subscribers, after the receipt of his letter, it was "Resolved, That the secretary of this meeting be instructed to subscribe the amount of funds in his hands to aid the cause of *Freedom in Kansas*, in the name of Hon. Charles Sumner." And so were the words of the brave soul in behalf of outraged Kansas, "hardened into deeds." But he was not content with merely diverting to Kansas, contributions intended for himself. He contributed directly and generously from his own pocket, many times over, timely aid to the same noble object.

In January, 1857, he received his reëlection as a Senator of the United States, practically with no opposition within or without the Legislature. In the Senate the vote was unanimous. In the House, while it was otherwise, Mr. Sumner got all but twelve of the three hundred and forty-five votes cast. These twelve non-concurring votes were distributed among not less than nine candidates, Robert C. Winthrop, Sumner's old opponent getting exactly three of them!

The *Boston Daily Advertiser*, commenting on the election, made some interesting and significant comparisons of it with that one which occurred six years before. It said: "It is impossible to refrain from comparing the election of yesterday with Mr. Sumner's previous election in the same place six years ago. Now he receives nearly all the votes, on the

first ballot, taken on the third day of the session, every member speaking aloud his vote. *Then* he received only the exact number necessary for a choice —one more than half the whole number; and the election was not effected until the twenty-sixth ballot, taken on the one hundred and fourteenth day of the session (April 24, 1851), and the votes were thrown in sealed envelopes. *Then* he was the candidate of a party which threw 27,636 votes in the State, at the preceding popular election, or about one-fifth of the whole number. *Now* he is the candidate of a party which threw 108,190 votes in the State, at the last popular election, or about two-thirds of the whole number. *Then* he was chosen to a body where he could expect to find but two or three associates sympathizing with his sentiments. *Now* he is a member of a party which has a majority in the lower House of Congress, and numbers a quarter of the members even of the Senate of the United States. Truly, *tempora mutantur, nos et mutamur in illis.*"

"Still, and nevertheless, and notwithstanding," as Professor Channing, of Harvard University, once began a sentence, Mr. Sumner's disability continued. On the 4th of March he was sworn as Senator for the second term, and three days later sailed for Havre in search of health. In December at the opening of Congress, he resumed his seat only to find himself, as he expressed it, "within the circumscriptions of an invalid." Fully aware at last, through a succession of relapses, of the gravity of his disease, and of the necessity of letting patience have its perfect work in another endeavor to recover his lost vigor of body, he sailed a second time for Havre, on May 22, 1858,

just two years, the reader will perceive, after he was assaulted in the Senate.

At Paris, he finally placed himself under the medical care of Dr. Brown-Séquard, who to Mr. Sumner's inquiry as to the remedy, replied with laconic brevity, "Fire." Sumner's resolution was instantly taken. "When can you apply it?" he asked. "To-morrow, if you please," the Doctor answered. "Why not this afternoon?" was the patient's next question. And that afternoon, without anæsthetics of any kind, he submitted himself to the treatment by fire, the torture of the moxa, which Brown-Séquard has pronounced "the greatest suffering that can be inflicted on mortal man," indeed not once but seven times did he submit himself to its agonies.

In addition to the moxa, he took cold and hot *douches* at Aix, and sea baths at Havre. At Montpellier, in the South of France, where he spent the winter, he was cupped daily on the spine, and passed eighteen of the twenty-four hours in a horizontal position. In the spring he made a hurried visit to Italy, and back again to Paris, where he reported himself to Dr. Brown-Séquard who pronounced him well. When Congress began in December, 1859, the Defender of Humanity was again in his seat, "with a certain consciousness of restored health," as he records, "although admonished to enter upon work slowly."

His empty seat during those years was the precious the inestimable contribution of Massachusetts to the holy cause in which he was stricken down. Vacant it stared, voicing as no lips could speak her eloquent purpose and her mighty passion.

But now it behooves reader and writer to catch up with the progress of the national tragedy during the eventful and exciting years covered by the term of Sumner's disability. This, however, must be done, not at the end of the present chapter, but at the beginning of the next.

## CHAPTER XII.

### RED SPIRITS AND GREY.

A TRULY momentous year was 1856, in the political annals of the Union. The strife between freedom and slavery was raging the while in Kansas, and at the seat of the Federal Government at Washington, where it culminated in the assault on Sumner. It is memorable also as marking the last triumph at the polls of the slave-power in America, and the first appearance of the new Northern party in national politics. This year the Republican party made its debut on the national stage, and swept the free States with the magnificent courtesy of more than one and one-third million of votes.

If the new party of freedom failed to elect its candidates, Frémont and Dayton, neither did the old party of slavery succeed in securing for its candidates, Buchanan and Breckinridge, a majority of the polls, by something like nearly four hundred thousand votes! The long primacy of the South, and the overlordship of the slave-power in the Union, drew, almost visibly, after this Pyrrhic victory, to their violent and tremendous downfall.

Seeing how matters must conclude for it and its ill-gotten gains, should the excitement, growing out of the repeal of the Missouri Compromise, continue in the North, with no abatement of its energy, the

slave-power hit upon a bold, bad, and desperate device to compose it. This was no other than the famous or infamous judgment of the Supreme Court in the case of Dred Scott, which declared the unconstitutionality of the Missouri Compromise. If that Act was *ab initio* null and void, it followed plainly enough that its repeal could not have worked any legal detriment to the interests of the free States in the upper division of the Louisiana Territory. If they had nothing under the arrangement of 1820, and the Act of 1854 took that nothing away from them, what great consequence had they suffered because of this sort of Congressional addition and subtraction?

But the North was not deceived by the solemn and partisan jugglery of the majority of the Judges on the Supreme Bench upon the subject. Its moral sense was besides shocked by the bold inhumanities of the decision, directed against the negro race. For deep within the Northern heart, buried, to be sure, within labyrinthine selfishness and pride, there was an idea, a feeling, that the black man did have rights which white men were bound to respect, the *obiter dicta* of the Supreme Court to the contrary notwithstanding. The suspicion, too, that the highest judicature of the land, one of the coördinate branches of the national Government, had only acted a part assigned it by the slave-power, served to add fuel to the flames of the agitation, which the authoritative voice of that tribunal was evoked to allay. And so, after all this shrewd calculation, the anti-Nebraska excitement was not composed; it went rapidly, in fact, from bad to worse.

The prohibitory legislation of 1820, torn from the

statute book by the slave-power, was not blotted at the same time from the breasts of Northern freemen. Congress and the Supreme Court had not power to erase the great fiat of liberty written there. The unconquerable temper, with which free Kansas rose with the emergency, with which it encountered the aggressions and outrages of the army of slavery, backed as that army was by the whole authority of the national executive, proved the folly and futility of the repeal; proved also the folly and futility of the "squatter sovereignty" dogma as an instrument for introducing slavery into the Territories. When the slave-leaders perceived that this much-vaunted dogma was unequal to the introduction of slavery into the Territories, it was promptly discarded by them, and another, better adapted to the accomplishment of their purpose, selected in its stead.

That other was Calhoun's supreme dogma of the "self-extension of slavery under the Constitution," as Benton phrased it, together with its corollary, the obligation of Congress to protect by law the slave-holder in the enjoyment of his Constitutional right to slave labor, against a hostile Territorial majority. Theretofore the Southern shibboleth had been: Congress has no power to legislate on the subject of slavery in the Territories; now it became the duty of Congress to safeguard the institution within the Territories. Not until a Territory had attained to Statehood, according to this latest position of the South, could the principle of popular sovereignty operate to exclude a master and his slaves.

Stephen A. Douglas was altogether too great and selfish a politician to enact the rôle of a mere tool.

If he consented to serve the slave-power, it was doubtless, because he calculated that he could serve self at the same time, could advance designs of his upon the Presidency. He knew that his popular-sovereignty doctrine measured the full length of his political tether. Not an inch beyond the principle set up by him in 1854, in solution of the Territorial problem, did he dare to venture. To shift his position taken then to this last and desperate pretension of the South would be passing, politically, upon himself a death sentence. And Douglas was not of the self-renouncing kind. He loved power too greedily to imperil his leadership at the North even to please the slave-power.

The "little giant" drew defiantly and proudly off from his Southern allies on the Lecompton issue. On that issue the erstwhile united and invincible Democratic party ran sharply upon a question which was to shake it to its centre and eventually split it in two. In this posture of affairs between Douglas and fellow-Democrats at the South an old prophecy of Calhoun found fulfillment. For Northern representatives, even so audacious and powerful a public man as was Douglas, were, when they came to act, looking not to the South, but to the North for their political cue.

Douglas, puissant as he undoubtedly was in Illinois, dared not to bow before the imperious will of the slave-power at this juncture. Willing or unwilling he had to move with the currents of public opinion in his own State. Indeed he owed his reëlection to the Senate over Lincoln, a few months later, to his courageous and uncompromising tone in the Lecomp-

ton debate. The wrath of the South burned hotly against its old confederate in aggression and wrong. In obedience to its behest, he was deposed from the Chairmanship of the Senate Committee on Territories, and stood, it was bruted, in some danger of being read out of the Democratic party.

Events were plainly getting beyond the control of the politicians, escaping as from Pandora's box on every hand, to the confusion and discomfiture of the compromisers at the North, and of those at the South. It was an instance of the irrepressible fermentation of contrary ideas, working from within outwardly in obedience to rooted social differences and antagonisms between the sections. The South was the victim of a system of labor, which early withdrew from it the power of choice and then drove it forward blindly by the force of an inexorable necessity upon its fate. The North was likewise the creature of an industrial principle, whose resultant interests and institutions slowly took away from it the power of self-determination in its conflicts with slave-labor, and impelled it in a line of social expansion as distinct from that of the South as is light from darkness, civilization from barbarism.

Never to any wide extent were the free States Abolitionist. They opposed slavery so far only as slavery menaced their interests, and no further. They loved the Union; they had no love for the slave. To preserve the one they were ever disposed to sacrifice the freedom of the other. But happily for the slave, his freedom could not be immolated utterly on the altar of the Union, without entailing upon his immolators, to a certain extent, a loss of political

power, and this possible consequence to themselves served to withhold the Northern people from abandoning him entirely to his wretched fate.

From the first, therefore, the passion of the free States for sectional ascendency pushed them gradually away from the South and toward the slave. As the contest for political supremacy waxed between the sections, the line of separation lengthened between the North and the South, and lessened between the North and the slave, until in due time liberty and the Union grew to be one and inseparable. But this converging of the sectional interests of the free States and of freedom to the slave upon a single point, was a long and tumultuous process, as the reader well knows.

The thing which the South demanded, the North could not yield; and that which the North asked for, the South could not grant. The South demanded more slave territory, more slave States, while the North was compelled in self-defense to resist all further extension of slavery to the soil of the Republic, and to oppose the admission of more slave States into the Union. Certainly the two sections were not fed with the same food, for what might be meat to the one, was apt to prove poison to the other. A startling episode like John Brown and Harper's Ferry was the flashlight by which destiny revealed to themselves and to each other, the hearts of those natural and irrepressible enemies.

In these circumstances, it did not take that wise man, Abraham Lincoln, long to discover for the Northern people that their Union could not endure "permanently half slave and half free." The discovery of

that momentous fact had been made by seventy years of experiment and conflict. This truth, during that long period, had deepened and spread at the South ; it had deepened and spread at the North, more slowly to be sure, but with not less certainty or constancy than in the other half of the country. The logic of Southern aggression tended to make the Union all slave, that of Northern resistance to make it all free.

The sectionalism of the Douglas wing of the Democratic party, differed in degree only from the sectionalism of the Republican party. Neither would go the whole length of Southern demand. Both went part way, the latter stopping in this respect considerably short of the former. But the same force which arrested the one halted the other also. That force was the growing consciousness of the people of the free States of deep and abiding differences and antagonisms between the interests and institutions of their section and those of the slave States.

But to fail the South, at this juncture, in one particular was to fail it altogether. So at least reasoned her leaders. To throw her back, with her inferior colonizing resources, upon the dogma of popular sovereignty as an instrument for opening new regions for the extension of slavery, was not the deed of a friend, but of a foe. Douglas, therefore, and his faction, the South, grew to hate with a bitterness hardly less than that with which it hated Lincoln and his party. Both were denounced as enemies which no Southern man, true to his section, could support.

In the Charleston Convention the two wings of the Democratic party collided in a contest of unbridled

passion. The South demanded as a *sine qua non* to any further union between the party North and the party South, the incorporation into the party platform of the dogma that slavery extends itself under the Constitution to the national Territories ; together with its corollary that Congress is bound to safeguard by law the human property of slaveholders within the Territories, popular sovereignty to the contrary notwithstanding. But an act of such self-stultification and madness, the Douglas men dared not commit. Their refusal to place the party upon this Southern plank was the signal for the disruption of the Democratic organization which was speedily followed by the dissolution of the Union.

But it is time to return to the story of Sumner's life. He had not resumed his seat in the Senate many months, before his collisions with its slavemasters began anew. One of the earliest of these skirmishes he had with Mason, of Virginia, over a memorial from Mr. Frank B. Sanborn, of Concord, Mass., representing to the Senate how he had been treated by certain persons acting under orders from one of its special committees. Mr. Sanborn's case grew out of John Brown's raid into Virginia, and an attempt on the part of the Senate Committee, appointed to investigate the matter, to compel him to testify touching his knowledge of the expedition. As Mr. Sanborn was not disposed to go willingly to Washington, the sergeant-at-arms of the Senate deputed certain persons to take him into custody and convey him to the capital. This the deputies, on the evening of April 3, 1860, proceeded to do. They succeeded partially in the accomplishment of their purpose, viz., in get-

ting Mr. Sanborn into their possession and slipping handcuffs upon him, and were about to slip him into a carriage, when, owing to the presence of mind and courage of a sister, the friendly succor of neighbors and the efficacy of the *Habeas Corpus*, they were finally foiled and forced to release their prisoner.

These circumstances were recited to the Senate by Mr. Sumner who presented the memorial. Whereupon Mason, who was the Chairman of the Harper's Ferry Committee moved "that the memorial be rejected." This brought Mr. Sumner to his feet with the remark: "The Senator moves . . . that the memorial be 'rejected'; and he makes this unaccustomed motion with a view to establish a precedent in such a case. I feel it my duty to establish a precedent also in this case, by entering an open, unequivocal protest against such an attempt. Sir, an ancient poet said of a judge in hell, that he punished first, and heard afterwards—*castigatque auditque* and permit me to say, the Senator from Virginia, on this occasion, takes a precedent from that court." Of course, Mr. Mason (who professed not to be used to such language within or without the Senate), was terribly shocked by this sulphurous and burning allusion to his motion to reject the memorial of Mr. Sanborn.

Sumner was not content with striking when struck, as in the instance just given, but he would take the initiative as well. And when this he did, the slave-power had occasion to think of him with emotion for many a day afterward. His long disability and absence from his post had not abated a tittle of his hatred of slavery, or of its domination in the Union. That hatred and the Puritanical sternness and aggressive-

ness which characterized his opposition to the slave-power had, if anything, increased during those years of illness. In public life there was no man who so hated slavery as did Sumner. Certainly not Seward, nor Chase, nor Hale, nor Wilson, nor even Giddings. Sumner's hatred of it, as a political evil, surpassed theirs, while to this unequalled hostility was added an intolerance and abhorrence of it as a moral wrong, felt only by such men as Garrison, Phillips, Theodore D. Weld, James G. Birney, Elizur Wright, Frederick Douglass, Parker Pillsbury, and Stephen S. Foster. He was, in truth, in 1860, the incarnation of iron will and iron convictions on the subject of slavery, political and moral.

All this appears in that grand and terrible philippic, entitled "The Barbarism of Slavery," delivered by him in the Senate June 4, 1860. In this speech, which was made on the bill for the admission of Kansas as a free State, Sumner condensed the whole horror and curse of slavery, reflected its image with a fierce realism and scorn, which was worthy of Garrison himself.

In the early years of the Republic it was general, almost universal, in the slave States to look upon slavery as a political evil and a moral wrong. Slave-masters were among the loudest and sincerest in denunciation of it as such. They were among the most earnest of the early Abolitionists, who hoped for its ultimate extinction. But, owing to several causes of a political-economic nature, discussed by the writer in his "Life of William Lloyd Garrison," under the caption, "The Hour and the Man," chapter IV., page 92, and to which he begs to refer the interested reader,

this early expectation in regard to slavery failed to be realized. The evil on the contrary entered upon a period of extraordinary social and political expansion and power. And with this change there was inaugurated another. The early toleration of the South gave place in time to passionate attachment to the monster. It became no longer an evil, a wrong to be extirpated, but "a positive good" to be cherished, as Calhoun proclaimed it on the floor of the Senate in 1837.

Presently devotion to slavery grew to be general through the South. In 1860, when Sumner made his speech on the "Barbarism of Slavery," it was practically universal. The slave States no more blushed for their social system, but by the mouths of their leaders vaunted it rather as "the most solid and durable foundation on which to rear free and stable political institutions"; as "the corner-stone of our republican edifice"; as "a great moral, social, and political blessing"; as "the normal condition of human society"; as "*ennobling* to both races, the white and the black," etc., etc., etc.

Sumner's speech was in part an elaborate and merciless exposure of the groundlessness of these assumptions. He exposed the barbarism of slavery under the two heads of the *character of slavery* and of the *character of slavemasters*. In the preparation of his argument, Sumner had evidently acquainted himself with the entire body of the laws and the literature bearing on the subject. He came with chapter, section, and page of the black book of slavery at his finger's end. The whole awful record he unrolled during the four hours that he held the

attention of the Senate. The enormities of the slave-code and the enormities of the slave-character filed in a long and terrific procession before the Senate and the country. Slavemasters were made to see themselves and the dehumanizing monster which they were hugging, as they appeared to the moral sense of the age.

His exhibition of the character of slavemasters in Congressional history was as pungent, effective, and thorough as truth and the arts of the orator could make it. With the *Congressional Globe* in one hand, he drew aside with the other the curtain of years, a curtain which concealed a series of shameful and turbulent scenes, such as have rarely disgraced the annals of parliamentary proceedings. Just as the records had caught the "lords of the lash," pictures of vulgarity and violence, they were reproduced with their swagger, their insolence, and oaths, with their bowie-knives, their bludgeons, and firearms, defiant of the laws of debate, of decency, and of the Deity alike. And this stern exposure he fitly closed with a view of "the melancholy unconsciousness which constitutes one of the distinctive features of this barbarism."

"Next to the unconsciousness of childhood," observed the orator, "is the unconsciousness of barbarism. The real barbarian is unconscious as an infant; and the slavemaster shows much of the same character. No New Zealander exults in his tattoo, no savage of the Northwest coast exults in his flat head more than the slavemaster of these latter days—always, of course, with honorable exceptions—exults in his unfortunate condition. The slavemaster hugs his disgusting practice as the Carib of the

Gulf hugged cannibalism, and Brigham Young now hugs polygamy. The delusion of the Goitre is repeated. This prodigious swelling of the neck, nothing less than a loathsome wallet of flesh pendulous upon the breast, and sometimes so enormous, that the victim is unable to support the burden, crawls along the ground, is common to the population on the slopes of the Alps ; but accustomed to this deformity the sufferer comes to regard it with pride—as the slavemasters with us, unable to support their burden, and crawling along the ground, regard slavery—and it is said that those who have no swelling are laughed at and called “goose-necked.”

If the speech four years before aroused all the dark and malignant passions of the South against him, this one could do no less, for while it did not single out by name particular representatives of slavery for punishment, as did the former, its general scope and overwhelming effect carried its argument and the charge of colossal guilt and iniquity home to the individual consciousness of each as well as all. He had attacked the whole, he had attacked every mother's son of the slave oligarchy. The slavemasters of the Senate and House were, metaphorically and literally, ready, during the progression of the terrible philippic and at its conclusion, to tear the Defender of Humanity to pieces.

A newspaper writer sketched at the time the scenes in the chamber during the delivery of the speech: “Mr. Breckinridge remained all the time,” wrote an occasional correspondent of the *Chautauqua Democrat*, “and sat with an open book in his hands, pre-

tending to read; but his eyes wandered from the page, and, with a frown upon his brow, he finally gazed at the speaker till he closed. Jeff. Davis pretended to be reading the *Globe*, but it was plain to be seen by the heading of the paper that it was upside-down. Wigfall seemed in torment. He listened respectfully awhile, and then glided silently around from one Senator to another, and conferred in whisper. He seemed to be hatching mischief; but the grave shake of the head of the older Senators doubtless kept this uneasy, restless desperado quiet. Hunter sat like a rock, immovable, and listened respectfully to the whole. Not a muscle moved upon his placid face to denote what was going on in his mind. Toombs heard the most of it quietly, and with as much of a don't-care look as his evil passions would permit. Near the close, 'Sheep's-Gray' Mason came in and took his seat, and commenced writing a letter. He evidently intended to show the galleries that Sumner was too small for him to notice. But he soon found a seat in a distant part of the hall, and an easy position, where he sat gloomily scowling upon the orator till he sat down. When the speech was about half through, Keitt, the accomplice of Brooks in his attempted assassination of Mr. Sumner, came in and took a seat near Senator Hammond. For awhile he sat gazing about the galleries, evidently to notice the dramatic effect of his presence upon the audience there. But few seemed to notice him. By degrees he began to pay attention to the speech. . . . Curry, of Alabama, and Lamar, of Mississippi, members of the other House, though Southerners of the straitest sect, could not conceal their

delight at the oratory and classic and scholarly feast before them. They were scholars and orators themselves, and could appreciate an intellectual treat, though the sentiments were so obnoxious.

"On the Republican side breathless attention prevailed. Those who immediately surrounded the Senator were, Mr. Wilson, Senator Bingham, John Hickman, Preston King, and Solomon Foot. Mr. Seward sat in his usual seat, and scarcely moved during the delivery of the great speech."

By the time Sumner had finished speaking, the slavemasters of the Senate had hit upon an answer, and this Mr. Chestnut, of South Carolina, was selected to make. And this was the answer: "Mr. President—After the extraordinary, though characteristic, speech just uttered in the Senate, it is proper that I assign the reason for the position we are now inclined to assume. After ranging over Europe, crawling through the back door to whine at the feet of British aristocracy, craving pity, and reaping a rich harvest of contempt, the slanderer of States and men reappears in the Senate. We had hoped to be relieved from the outpouring of such vulgar malice. We had hoped that one who had felt, though ignominiously he failed to meet, the consequences of a former insolence would have become wiser, if not better by experience. In this I am disappointed, and I regret it. Mr. President, in the heroic ages of the world men were deified for the possession and the exercise of some virtues—wisdom, truth, justice, magnanimity, courage. In Egypt, also, we know they deified beasts and reptiles; but even that bestial people worshiped their idols on account of some supposed virtue. It

has been left for this day, for this country, for the Abolitionists of Massachusetts, to deify the incarnation of malice, mendacity, and cowardice. Sir, we do not intend to be guilty of aiding in the apotheosis of pusillanimity and meanness. We do not intend to contribute, by any conduct on our part, to increase the devotees at the shrine of this new idol. We know what is expected and what is desired. *We are not inclined again to send forth the recipient of PUNISHMENT howling through the world, yelping fresh cries of slander and malice.* These are the reasons, which I feel it due to myself and others to give to the Senate and the country, why we have quietly listened to what has been said, and why we can take no other notice of the matter."

To this characteristic Southern answer Mr. Sumner, gaining the floor with difficulty, replied briefly thus, addressing the President: "Only one word. I exposed to-day the *Barbarism of Slavery*. What the Senator has said in reply I may well print as an additional illustration. That is all."

Mr. Chestnut's wrathful little performance was charged to the muzzle with explosives, with savage and intolerable hate. It was the typical Southern answer to anti-slavery arguments, with the bludgeon and the bowie-knife left out. But, if they were left out, it was for the occasion only, as an incident which occurred on the fourth day after the speech evinced. About six o'clock in the afternoon of that day, Mr. Sumner was called on by a stranger, who introduced himself as a Southerner and slaveholder, and demanded of the "slanderer of States and men," an explanation of his speech, and avowed his inten-

tion to hold him responsible therefor. But the Defender of Humanity, though an ardent peace man, who eschewed war and the duel and all appeals to force for the settlement of differences between nation and nation and man and man, as unworthy of a Christian age, nevertheless, believed with no less ardor in the right and the duty of self-defense when put to it by bullies and assassins. He therefore ordered the ruffian to leave the room, which he did, but not before breathing out vengeance against the author of "The Barbarism of Slavery," and threatening to return with three others who had come with him from Virginia expressly to hold the orator responsible.

After having this notice of intended violence served upon him, Mr. Sumner sent for his colleague, Henry Wilson, who promptly repaired to the lodgings of his friend. And while there, a second unknown man called to see Sumner, but when he was apprised that the object of his call was not alone, he suspiciously declined to enter. A few hours later three strange men called, but when they were informed that they could not see the Massachusetts Senator alone, they, too, turned away with the sanguinary message that they would call again in the morning for a private interview, and if they did not get it they would cut his blanched throat before the next night.

Such a murderous message was not ignored by the friends of Mr. Sumner; on the contrary, Anson Burlingame and John Sherman slept that night in a room opening into the bedroom of their friend, prepared to teach Southern fire-eaters that if blood was to be spilt, Northern men proposed to be on hand at the next spilling appointment, and join in the operation.

Nothing, however, came of the matter. The bloody-minded visitors failed to repeat their call, either that night or the next morning.

The noise of the incident reaching the ears of the Mayor of Washington, that official requested Mr. Sumner to make an affidavit of the facts, but this, owing to a want of faith in the magistrates of that city, he declined to do. The original offender, a well-known office-holder of Virginia, was at length discovered, and brought to Mr. Sumner's room by the Mayor. The fellow apologized for the part he had taken in the affair, but denied all knowledge of the others who had left the sanguinary message. Without Sumner's being aware of it at the time, faithful friends stood watch over him at night, and attended him as a body-guard between his lodgings and the Senate. This latter service was performed by Kansas citizens under the command of Augustus Wattles. From the door of the house to the door of the Senate and *vice versa*, all unknown to the object of their solicitude, these determined men followed him day after day, with revolvers in hand.

The speech had other results. Coming as it did about the beginning of the Presidential campaign, it produced a sensation among the army of politicians and editors, who attach higher value to party success than to everlasting principles. Many there were among this always too-numerous class, and who perhaps, have never been more so than during the period of the national canvass of 1860, regretted the delivery of the speech, and bewailed the fancied harm it would inflict upon the Republican party in the contest. But as time passed and the contest waxed, the squad of

croakers and compromisers, who were troubled and anxious about everything under the sun in the world of politics except freedom for the slave, learned that the speech had not injured the chances of their party's success, but had instead really improved them with the common people, began to sing another tune in regard to it and its brave and eloquent author.

The speech was printed as a campaign document in several large editions, and sent broadcast over the free States, while the author was in urgent demand as a speaker throughout the North. In Massachusetts he spoke many times during the canvass, and in New York once, when he made a powerful speech on "The Origin, Necessity, and Permanence of the Republican Party," in which he restated the argument against slavery, but with this single exception, possibly from fear of a relapse he did not speak out of his own State, though again and again importuned to do so by Republican committees from Maine to Illinois.

The alarmists and loud-mouthed "friends of the Union" converted "The Barbarism of Slavery" to their own mischievous purposes. In it they professed to descry the real, but concealed character and aims of the Republican party, the Black Republican party, as it was called, to make it odious with the people of the free States. The dissolution of the dear Union in the event of the triumph of that party at the then approaching elections was held up to frighten the North into a refusal to support the Republican candidates. A vote for Lincoln was, in sooth, a vote for disunion, and to Sumner's speech the alarmists

pointed for confirmation of that gloomy vaticination.

Here is one way in which the New York *Herald*, taking the speech for a text, artfully held up the terrible consequences to the country of Republican success: "But there is one characteristic of this speech which is in perfect accordance with the policy of the Black Republican party in the present campaign. The bloody and terrible results which must ensue, if that party succeeds in getting possession of the Federal Government, are kept carefully out of view. John Brown's practice is taught, but there is no word of John Brown. The social condition of fifteen populous, rich, and powerful States is to be revolutionized; but not a hint of possibility of resistance on their part, or of the reactive effect of such resistance upon the aggressive North, is dropped."

Whoever else trimmed and tacked his principles and convictions to weather the gusty currents of the times, Sumner did not. No stress or fury of the political elements, no impending peril and disaster, could make him turn from his course and fly before the storm. Throughout the campaign which terminated in the election of Lincoln, he held his undeviating way toward the restoration of the Republic to its original anti-slavery character, when freedom was national and slavery sectional; to the emancipation of the Government from the domination of the slave-power, to the total annihilation of the idea, wherever the jurisdiction of the Constitution extended, whether in the Territories or the District of Columbia, or on the high seas under the national flag, that man can hold property in man.

The uncompromising spirit which characterized his course before the elections, characterized it not less afterwards, when the anti-election alarmists doubled their activity and the apprehensions of the friends of the Union at the same time. In that period of dreadful suspense, which intervened between Lincoln's election and the beginning of secession, it seemed almost as if the whole North was in a panic of fright, and ready to suggest or support any concession to the South, in order to save the Union. "Give, give, give," was in the mouths of the most powerful politicians and leaders of the victorious party of freedom. Lincoln, Seward, Thurlow Weed, and company, were in the mood for making extraordinary concessions to the South, and sacrifices of the anti-slavery principles of their party to induce Jefferson Davis, Howell Cobb, William L. Yancey, and company to refrain from breaking up the precious Union and brotherhood of right and wrong, for which the Government, as organized and administered, had stood for seventy years. At every door and on every brow sat gloom and apprehension. An appalling uncertainty was, indeed, scaring statesmen and people.

But the thoughts and words of Sumner were not those of the terrified people and leaders. There was light on but one difficult and perilous path, the path of duty, of national righteousness. In this one true way he confidently planted his feet. Thick fogs were around him, a wild, chaotic sea of doubt and danger encircled him and the country, but he hesitated not, nor swerved to the right hand or to the left, to find an easier and safer way of escape. Straight on and up he climbed, calling through the

rising darkness and tumult to his groping countrymen to follow. Nothing is settled which is not right. Peace, ever-enduring peace, comes only to that people who dare to put down sin, and lift up righteousness, rang firm and clear from him, in this tremendous crisis in the life of the nation. He was, in very truth then, the faithful one.

He saw the supreme peril which impended over the Republic, and felt assured that it was not in secession and civil war, but in the timidity and selfishness, which, in order to avert these, were disposing the Northern people and their leaders to compromise the principles of liberty, inclining then to make fresh and disastrous concessions to slavery. If his anxiety was great, his vigilance, earnestness, and activity rose to the high level demanded of him in the emergency. No uncertainty vexed his conscience, or disturbed his courage. Whatever questions admitted of conciliatory treatment, the slavery question admitted of no back-down on the part of the free States. Not another inch of concession should be made by them to the evil power which had devoured their peace and trodden down their best interests, and which no surrender, short of absolute and unconditional, could permanently pacify. If disunion and civil war were crouching in the rough way of the nation's duty, the nation must not turn aside to avoid them. It ought, on the contrary, resolutely, regardless of consequences, to seek first to establish itself in justice and liberty. This bravely and finally done, he did not doubt that then every other good thing would be added to it.

Seeing how matters were with people and politicians, and the temptations which were assailing them through their fears to betray liberty to her ancient foe, Sumner seized every opportunity which came to him to fix their wavering faith, to steady their faltering purpose, to bring the Government back to its earlier and better policy, when freedom and not slavery was national. His timely lecture on "Lafayette, The Faithful One," was among the potent instrumentalities employed by him in achieving this result. In exalting Lafayette, and unrolling the splendid record of his glorious life, where fidelity to liberty shone conspicuous and supreme, Sumner held up to the living this lofty historic personage for guidance and inspiration, and with the flame of the illustrious Frenchman's sacred and unconquerable animosity to slavery, the lecturer sought to kindle to a consuming blaze the flickering opposition of the North to the American barbarism and the long-enduring tyranny of the slave-power.

As the term of Buchanan drew to its close, and that of Lincoln to its commencement, the apprehensions of the North increased apace, and the operations of the alarmists increased apace also. The pressure put upon Congress to induce the adoption of conciliatory measures was redoubled. A Boston delegation of white-livered friends of the Union, with Edward Everett as its head, went to Washington to urge upon Northern representatives the necessity for mutual concessions in the interest of harmony and the preservation of the dear Union. Mr. Sumner has recorded how the timid old orator went to him at his lodgings, and with much emotion besought him to

bring forward some conciliatory proposition, saying, " You are the only person who can introduce such a proposition with a chance of success." And Sumner has recorded his reply also. " You are mistaken in supposing that I have success with compromise," said he to the venerable time-server and trimmer, " if I could bring it forward ; if I am strong with the North, it is because of the conviction that I cannot compromise ; but the moment I compromised I, too, should be lost."

Thrice happy it was that at this juncture Massachusetts had not an Edward Everett in the Senate, or seated in her gubernatorial chair. In her new governor the commonwealth found a tower of strength, while in him Sumner found a man after his own heart. Firm indeed was John A. Andrew against the clamor for compromise. In January, 1861, he wrote Sumner in Washington: " From war, pestilence, and famine, from all assaults of the world, the flesh, and the devil, good Lord, deliver us, but most especially from any compromise with traitors, or any bargain with slavery ! "

With another time-server and trimmer Sumner had a characteristic interview about this time. This one was James Buchanan. He had sought an audience with the President in relation to a subject touching the state of the country. When the conversation was concluded on this head, Sumner said, " Mr. President, what else can we do in Massachusetts for the good of the country ? " " Much," was the reply. " What ? " queried Sumner. " Adopt the Crittenden propositions," responded the Chief Magistrate. " Is that necessary ? " asked the Senator with a BACK-

BONE. "Yes," answered the President, who belonged unmistakably to the breed of political invertebrates. "Massachusetts has not yet spoken directly," was Sumner's answer; "but I feel authorized to say that such are the unalterable convictions of her people, they would see their State sunk below the sea, and turned into a sand-bank, before they would adopt propositions acknowledging *property in men*, and disfranchising a portion of her population."

Northern compromisers, among other reactionary measures, urged the repeal or modification of the Personal Liberty laws in conciliation of the South. There were attempts in Massachusetts to obtain the abrogation of the laws for the protection of fugitive slaves. To William Claflin, then Chairman of the Republican State Committee, and President of the Senate, Sumner wrote touching this subject: "In the name of liberty, I supplicate you not to let her (Massachusetts) take any backward step—*not an inch, not a hair's breadth.*" And to Governor Andrew he closed one of his letters with words which betray an agony of anxiety lest Massachusetts should retreat from the high ground occupied by her before the elections. "In God's name stand firm! *Don't cave, Andrew!*" he wrote. "Save Massachusetts from any 'surrender,' THE LEAST!"

Sumner's solicitude and activity at this crisis was a potent influence in strengthening many a weak back in the Legislature, and making the adoption of any material concession to slavery impossible. Governor Andrew's unflinching and uncompromising front stood watch over the Personal Liberty laws and warded off the evil machinations of the com-

promisers. In February, 1861, he wrote Sumner how he had made known to "some persons that they could not get anything *through this room* [the Council Chamber] not conformable to certain principles, and which did not contain certain details, unless they marched it through by dragoons."

Sumner's letters to the Governor from January 17 to February 20, 1861, are eloquent of the excitement and apprehensions of the times, of the author's firmness, vigilance, and fidelity in the great cause of country and humanity. Their sustaining power was of immense account to John A. Andrew in those early and critical weeks, beginning his term in the executive chair of the State. "I do not think we should allow this opportunity to pass," Sumner wrote him, "without trying the question, whether a single State can break up the Union. What is it worth, if held by any such tenure?" And again: "The question must be met on the Constitution *as it is* and the facts *as they are*, or shall we hereafter hold our Government subject to this asserted right of secession. Should we yield now—and any offer is concession—every Presidential election will be conducted with menace of secession by the defeated party." South Carolina, Mississippi, Florida, and Alabama had already seceded and raised the standard of rebellion. Before the end of the month of January, Georgia and Louisiana were to do likewise. On the 21st the Senators of the seceding States made their dramatic exit from the Senate. Treason and the plottings of traitors filled the air of the national capitol with rumors of impending violence. The panic of the compromisers, in consequence, grew every twenty-

four hours in magnitude, and threatened to precipitate the free States into a dishonorable retreat.

On the very day that Jefferson Davis and company withdrew from the Senate, Sumner wrote Governor Andrew: "Pray keep our beloved Commonwealth firm yet a little longer, and the crisis will be passed. Save her from surrender. Nothing she can do will stay secession. IMPOSSIBLE." And two days later: "Nothing that Massachusetts can do now can arrest one single State. There can be no other result except our own humiliation, and a bad example which will be felt by all other States. If Massachusetts yields one hair's breadth, other States may yield an inch or a foot, a furlong or a mile."

Again, a few days later, he wrote the Governor: "The mistake of many persons comes from this—they do not see that we are in the midst of a revolution, where reason is dethroned, and passion rules instead. If this were a mere party contest, then the circulation of speeches and a few resolutions might do good. But what are such things in a revolution? As well attempt to hold a man-of-war in a tempest by a little anchor borrowed from Jamaica Pond; and this is what I told the Boston Committee with regard to their petition." "I have but one prayer: Stand firm, keep every safeguard of Human Rights on our statute-book, and save Massachusetts glorious and true."

Rumors were now flying thick of plots to seize Washington by the rebels, to convert the departments into rebel forts, etc. "More than the loss of forts," Sumner's correspondence with the Governor continues, "arsenals, or the national capital, *I fear the loss of our principles.*

"These are now in greatest danger. Our Northern Fort Sumter will be surrendered, if you are not aroused. In my view, the vacillation of the Republicans is more fatal than that of Buchanan." And again thus: "Every word of concession thus far has done infinite mischief—first, by encouraging the slavemasters, and secondly, by demoralizing our friends, and filling them with doubt and distrust." And, finally, when the pressure of apprehensions began to lift from his mind, and light to break through the gloom: "The heart-burnings and divisions showing themselves in our party a few weeks ago are none less active. Those fatal overtures will fall to the ground. Oh, that they never had been made!" Certain conciliatory propositions, contained in a speech by Seward in the Senate, and made to placate the South and "Save the Union," were undoubtedly the "fatal overtures," alluded to. Four days before Lincoln's future Secretary of State delivered the objectionable speech, he read it to Sumner, who pleaded in vain with him to omit the foolish and futile offers to the South which it contained.

This period of appalling crisis and suspense, so crowded with miserable scenes of weak and vacillating leaders, so full of wretched and bootless efforts and overtures to satisfy the slave-power, was abruptly terminated by the roar of cannon in Charleston Harbor. It was the Southern answer to the fatal overtures of the friends of the Union. The sort of response which the North would make to the challenge was at once apparent in the tremendous popular uprising which followed the bombardment of Sumter. The Union must and shall be preserved was

the mighty purpose which swept the free States together, and launched them as one man against the Rebellion.

Sumner, as was his wont, had lingered in Washington after the close of Congress. He was in Washington when President Lincoln issued his first call for troops. There he remained, busying himself attending to public duties appertaining to him as a Senator and patriot, until the afternoon of April 18th, when he left for the North. At Baltimore he got off the train and went to Barnum's Hotel, where he meant to put up for the night. That the city was in a state of unusual excitement he soon perceived. On his way from the hotel to the home of an old family friend, where he took tea and spent the evening, he found that the excitement had increased. He himself was addressed in a manner not to be mistaken. Returning that evening to the hotel he was met by an acquaintance who enlightened him as to the object of the excitement, which had risen during the evening to the dimensions of a great mob. He was informed that it was after him, that it had already been to the hotel in quest of him.

Having learned so much, he pushed on to Barnum's and called for the key of his room, when he was taken into a retired spot by the proprietor and an attaché of the hotel and put in possession of the facts of the case, and of the danger he was in personally, and in which the house was also from the mob should they return again during the night. But in all that city there was no place in which Sumner could take refuge other than the hotel, and as a traveler he insisted upon his rights under the circumstances, much as he

regretted the peril which his presence in the house might involve the property of the proprietor. He was then given a room in a wing of the hotel less accessible to the mob should they attack the house during the night. The greatest secrecy was observed as to the number and location of the room occupied by Mr. Sumner, as an additional safeguard against the spirit of mischief which was abroad in the city that night, and which was to enact next day those scenes of riot, bloodshed, and treason which can never be forgotten.

In the grey of the next morning Mr. Sumner left the hotel for the Philadelphia Depot, where he boarded the northward-bound train. Between the two cities his train passed that which was transporting the Sixth Massachusetts Regiment to the national capital. Before Sumner reached Philadelphia the tragedy of the 19th of April, 1861, had been begun and finished in the streets of Baltimore, and the first bloodshed of the war had passed into history.

On his arrival in New York, he called on Major Charles Devens and his battalion, hurrying like the then glorious Sixth to the defense of the national capital. Sumner addressed the men, giving them for a watchword: "Massachusetts, the Constitution, and Freedom." The time for speech, however, had ended, and the time for doing and dying had come. And this no one recognized more quickly and heartily, peace advocate though he was, than Sumner. "Blood and iron," was the stern but simple formula for saving the Union. "Blood and iron," as a recipe for destroying slavery, he believed could prove no less potent.

## CHAPTER XIII.

CATHAGO EST DELENDAM.

THE two antagonistic ideas of the Union, after seventy years of expansion and conflict, had crashed together in the storm of civil war. Northern interests were not separable from the Union. To it, undoubtedly, the free States owed their “unprecedented increase in population, their surprising development of material resources, and their rapid augmentation of wealth.” Naturally enough, therefore, they held in abhorrence a Southern Confederacy. For destruction of the Union carried, as a consequence, ruin to all this growth and prosperity.

The war on the part of the free States was for the maintenance of the Union, and for no other purpose. Lincoln's indifference as to the fate of slavery, in this emergency of the Republic, was hardly less complete or shocking than was that of Douglas, who cared not whether slavery was voted up or voted down in the national Territories, since popular sovereignty was vindicated. Lincoln, as President, was not concerned as to whether slavery survived or perished, if only the Union survived. As a man he was probably not indifferent on this point ; but, as President, he avowedly meant slavery within the States, and intrenched within the Constitution and the laws of the land, no harm from the war power of the Government over which he presided. He was openly, notoriously,

for maintaining the Constitution as it was, the Union as it was, even to the execution of its infamous Fugitive Slave Laws.

It took two years to reveal to the President and the Republican party the folly of such a purpose, the madness of a statesmanship which was pouring out blood and treasure to preserve the federation of two contrary social systems under a single general government, when the opportunity offered of putting an end to one, and of establishing forever the other. At length it was perceived beyond a peradventure that the institution, which the administration was preserving, was the pith, the marrow, and backbone of the Rebellion. It, too, was seen that the fortunes of the slave and the fortunes of the Union were not detachable and distinct the one from the other, but identical and indissoluble. Then it was that the slave was emancipated and made a soldier to save a Union essential to the supremacy of Northern ideas and to the security of Northern interests and institutions in America.

Sumner, during the ante-bellum period of crisis and suspense, recognized, with all his old-time clarity of vision, the constitutional limitations of the political movement against slavery. He did not propose to touch the evil within the States, because he had not the power. To the utmost verge of the Constitution he pushed his opposition. Here he drew up, ready to cross this Rubicon of the slave-power should justificatory cause arise. Such he considered was the uprising of the South in rebellion. Treason canceled the covenants of the Constitution, and discharged the North from their

further observance. He was at last untrammeled by political conditions, free to carry the war into Africa. *Cathago est delenda* was thenceforth constantly on his lips.

It is the vogue now to extol the marvelous sagacity of Abraham Lincoln. And the writer, too, will join in the panegyric of his great qualities. But in the matter of emancipation that wise man was not infallible, the opinion of his latest biographers to the contrary notwithstanding. He waited for the people, but the people were really ready for the act, as a war measure, before he was. When he issued the Emancipation Proclamation, the South but a little later began to weigh the military necessity of a similar movement. Sagacious, undoubtedly, the President was,—wonderfully so; but slow at times, also, to a surprising degree. And this was true with regard to his conduct in relation to the liberation of the slaves.

To have saved the Union with slavery was surely not such a preservation of it as mere worldly prudence ought to have dictated. All that it could possibly have accomplished was a short postponement of the final struggle for mastery between what was morally and industrially wrong, and what was morally and industrially right, in the Republic. A day of wrath this struggle would have been in 1900 as it was in 1861. To put off this day, then, would have consummated the most stupendous crime of fathers against children of modern times. Yet such was distinctly Mr. Lincoln's purpose, as President. It certainly was not Mr. Sumner's, as Senator. Justice was his solitary expedient, right his unfailing sagacity. Of no other American statesman can this be so un-

qualifiedly asserted. Here he is the transcendent figure in our political history.

And yet he was no fanatical visionary, Utopian dreamer, but a practical moralist in the domain of politics. When President and party refused to heed him, and turned from his simple and straightforward remedy to try others, he did not break with them, nor sulk at his post. On the contrary, foot to foot, and shoulder to shoulder, he pulled with both as far as they would go. Where they halted he could not. Stuck, as the wheels of State and of the war were in those dreadful years, in the mire of political expediency and pro-slavery hunkerism, he appealed confidently to that large, unknown quantity of courage and righteousness latent in the North, to set the balked wheels again moving.

The policy of forbearance toward slavery, which characterized to so remarkable an extent the early part of Mr. Lincoln's administration, was at first interpreted liberally by Mr. Sumner. The President seemed to be making haste slowly to attack the enemy at a vital point, which course, during the first months of the war, Sumner cordially approved. And this approval he communicated to Mr. Lincoln in the month of May preceding the battle of Bull Run, adding, however, that the President "must be ready to strike when the moment came." Upon the happening of that event, Sumner felt that the time had arrived for the adoption of a Presidential policy of active hostility toward the peculiar institution; and this conviction he imparted to the President two days after the Bull Run disaster. But Mr. Lincoln received the suggestion with undisguised impatience.

No, the moment had not come to strike slavery. Instead of striking slavery, the administration struck several thumping blows upon the backs of the slaves in its jealous regard for the rights of masters.

"Fugitive slaves," so ran a general order from Washington, July 17th; "Fugitive slaves will under no pretext whatever be permitted to reside, or in any way be harbored, in the quarters and camps of the troops serving in this department. Neither will such slaves be allowed to accompany troops on the march. Commanders of troops will be held responsible for a strict observance of this order." Six days afterward the administration, through Attorney-General Bates, reminded the United States marshals of Missouri that the Fugitive Slave Act must be executed! And to General Butler's famous suggestion, that the "able-bodied negroes," liable to be used in aid of rebellion, were *contraband of war*, the Secretary of War, Simon Cameron, replied, in August, that, "It is the desire of the President, that all existing rights in all the States be fully respected and maintained."

August 30th, General Frémont, commanding the Western Department, made proclamation that: "The property, real and personal, of all persons in the State of Missouri, who shall take up arms against the United States, or who shall be directly proven to have taken an active part with their enemies in the field, is declared to be confiscated to the public use, and their slaves, if any they have, are hereby declared freemen." Notwithstanding the outburst of popular satisfaction with which this last clause of the order was received, President Lincoln promptly countermanded it. He was plainly bent on saving the Union,

if he could, without in any manner disturbing the *status quo* of invested interests in the slave States.

This amazing conservatism was unspeakably painful to Sumner, and excited his keenest apprehensions in respect of its demoralizing consequences in the conduct of the war. It was injurious to the cause of the Union at home and abroad. It operated in the South to strengthen, not weaken, the spirit of rebellion. Sumner, unable to influence the President, turned to the people. Perhaps they could show the administration the error of its way, induce it to change its policy of forbearance to bold and active anti-slavery measures. As early as July he endeavored to get Congress to inaugurate a new and militant policy in the treatment of rebels. Two bills introduced by him into the Senate, prior to the battle of Bull Run, provided for the confiscation of the property of traitors. This was one way, certainly, of starting off on a new departure in the conduct of the war.

At the Republican State Convention of Massachusetts, which met at Worcester, October 1, 1861, he demonstrated in an electric speech, that emancipation was the best weapon for putting down the Rebellion and saving the Union. "It is not necessary even, borrowing a familiar phrase," he declared, with singular sagacity, "to carry the war into Africa. It will be enough if we carry Africa into the war in any form, any quantity, any way. The moment this is done, Rebellion will begin its bad luck, and the Union become secure forever." Facts, a year later, completely verified this bold prediction.

On the evening of November 27th, before the

Young Men's Republican Union of New York, at Cooper Institute, he pointed out, in an argument of masterly force, that slavery was the origin and mainspring of the Rebellion: "Wherever this Rebellion shows itself, whatever form it takes, whatever thing it does, whatever it meditates," exclaimed the orator, "it is moved by slavery; nay, the Rebellion is slavery itself, incarnate, living, acting, raging, robbing, murdering, according to the essential law of its being." And again: "The slaves toil at home, while the masters work at rebellion; and thus, by singular fatality, is this doomed race, without taking up arms, actually engaged in feeding, supporting, succoring, invigorating those battling for their enslavement. Full well I know that this is an element of strength only through the forbearance of our own Government." . . .

And coming to the point of the argument, he finds that something more is needed to encounter successfully the Rebellion than men and money. That decisive something which the war for the Union wanted was ideas. "Our battalions must be reinforced by ideas," he sums up, "and we must strike directly at the origin and mainspring. I do not say now in what way or to what extent, but only that we must strike. . . . In no way can we do so much at so little cost. To the enemy such a blow will be a terror, to good men it will be an encouragement, and to foreign nations watching this contest it will be an earnest of something beyond a mere carnival of battle. There has been the cry, 'On to Richmond!' and still another worse cry, 'On to England!' Better than either is the cry, 'On to Freedom!' Let

this be heard in the voices of our soldiers, ay, let it resound in the purposes of the Government, and victory must be near."

No opportunity did Sumner now miss to press upon President, Congress, and the country the duty and necessity of emancipation. From this time forward he never saw Mr. Lincoln without urging him to strike the great criminal without warning him that then was the accepted time for dispatching the monster. But Mr. Lincoln did not so apprehend the situation, nor the urgency of immediate action. He would wait yet a while longer. He was, according to his own calculation, but six weeks behind Sumner. The weeks, however, stretched into months, and still the Presidential arm was stayed.

In the meantime, Congress was not inactive. It took the initiative in the military movement against slavery, as the origin and mainspring of the Rebellion. In the measure to confiscate property used for insurrectionary purposes, slaves so employed were declared free by the Act, which, on its approval by the President, August 6, 1861, was the beginning of emancipation. This Act was followed in March, 1862, by another, which prohibited the employment of the national forces in the return of fugitive slaves. It was thus, largely through the earnestness and determination of Sumner, that a path was hewed for the feet of Mr. Lincoln to emancipation as a measure of military necessity.

When the slavemasters retired from the Senate, and the Republican party obtained control of that body, Mr. Sumner was placed at the head of the Committee on Foreign Relations. In this position

he was enabled to render inestimable services to the country, and to the cause of freedom as well. His extensive acquaintance in Europe, and his immense acquisitions as a student of history and of international law made him a power, at home and abroad, during the progress of the war, as Chairman of that Committee. His speech on the "Trent" episode was one of the greatest services rendered by him to the administration and the country in that capacity.

Two of Sumner's old enemies, James M. Mason, the former Chairman of the Committee on Foreign Relations, and John Slidell of Louisiana, were appointed to represent the rebel States, the former at the Court of St. James, and the latter at the Court of Napoleon III. In October, 1861, with their two secretaries they eluded the blockade at Charleston and were landed at Havana. From this place they took passage in the British mail packet "Trent" for St. Thomas, where a line of steamers connecting with the "Trent" ran to England. When near St. Thomas the "Trent" was stopped by the United States steamer "San Jacinto," commanded by Captain Wilkes, and the rebel commissioners and their two secretaries were taken into custody and removed to the national steamer. This proceeding of Captain Wilkes, though in strict accord with British precedent, was in violation of the principle in that regard uniformly contended for by America. But this latter fact was at first quite lost sight of by the statesmen and diplomatic scholars and lawyers of the land. The capture gave general satisfaction in the United States—made Captain Wilkes the hero of the hour.

In England, however, the act excited very different

emotions. It brought the hostility of that country toward the United States to a head. The English Government demanded the surrender of the traitors, and, in case of the refusal of the American Government to comply therewith, instructed its minister at Washington, Lord Lyons, to return to London with the entire legation. Pending the consideration of this demand by the administration, Great Britain, like the wild boar in the fable, began industriously to whet its tusks for a war, which in its consequences must have proven disastrous to the cause of the Union and of freedom alike.

Plainly, under the circumstances, there was but one course for the American Government to pursue, and that was to throw itself back upon American practice, rather than upon British precedent, and surrender the prisoners. And this it did, though not without embarrassment in view of the popularity of the capture of those men, and of the deep resentment felt by all classes against the demand for their release. If the popular feeling was warlike in England, it was equally so in America. The Government, in getting rid of a war with England, could ill afford to do so by forfeiting the respect and confidence of its own citizens, whose love of country was, without doubt, sorely wounded by what, to the public eye, seemed like an ignominious backdown before British insolence and menace.

It fell to the lot of Sumner to rescue the administration from this predicament, by appeasing the irritated national *amour propre*, which he achieved in a masterly speech before the Senate, January 9, 1862, entitled "The 'Trent' Case and Maritime Rights."

He demonstrated to the almost universal satisfaction of the country, if not of the world, that the surrender of the rebel commissioners was not a backdown, but that, on the contrary, it was in strict accord with American principle and practice touching the right of search of neutral vessels at sea by belligerent Powers. It was the American contention that these Powers could not, in the exercise of the right of search, board neutral vessels at sea, and take out of them persons on whom such nations might otherwise have perfectly valid claims. This grand principle was now established by the demand of England and the act of America. America, therefore, had no cause for feeling humiliated by the surrender of the prisoners, but rather the strongest reason for experiencing a sense of accomplishment and triumph. To her other glories she had added the glory of leading the way to the reformation of long-existing abuses and wrongs in the law of nations. If America had surrendered the rebels to England, England had surely surrendered a bad principle and the support of many bad precedents to America.

The speech produced a profound impression at home and abroad. The *London Times* was greatly chagrined at the skillful manner in which the orator had turned the surrender to the advantage of the American Government and of the American people. "The great object of this remarkable oration," growled a famous correspondent of the *Thunderer*, "is to prove that the surrender of Messrs. Slidell and Mason is a great triumph for the American Government. There is, proverbially, no accounting for taste; and if the American people are of Mr. Sum-

ner's opinion I do not see why we should complain of their contentment." But neither the *Times* nor its famous correspondent was able to laugh down, or sneer down, or argue down the force of the speech. Sumner, with his customary thoroughness, had done what he set out to do, vindicated the Government, established for it in the popular regard a fresh claim to the confidence and support of the loyal North. And this was, in effect, dealing another blow upon the head of slavery, the supreme traitor, the origin and mainspring of the Rebellion.

Sumner's labors for the recognition of the independence of the black republics, Hayti and Liberia, by the United States, had similar results. He found the spirit of slavery intrenched in public opinion and the laws of the land, and it was his purpose to strike it there as well as at the South in its chattel form. If dislodged from those coigns of vantage in the Republic, if disowned by public opinion and expelled from the national statutes, he believed that it could be the more readily and effectively dealt with in the rebellious States. A move for the recognition of the black republics was a move against the many-headed wrong of slavery.

Before the war the slave-power refused all recognition of Hayti and Liberia as members of the family of nations. Nearly a year after the opening of hostilities, President Lincoln, with characteristic caution, suggested the subject to Congress, in his annual message. Remarking that, "If any good reason exists why we should persevere longer in withholding our recognition of the independence and sovereignty of Hayti and Liberia, I am unable to discern

it," he goes on to say, that he is unwilling "to inaugurate a novel policy in regard to them without the approbation of Congress," and thereupon submits to its "consideration the expediency of an appropriation for maintaining a Chargé d'Affaires in each of those new States." This was enough for Sumner, who immediately took the matter up and pursued it with such zeal, discretion, and perseverance, that in June these States received their long-deferred recognition at the hands of the United States.

Governor Andrew felt that the recognition of Hayti and Liberia was, in effect, the recognition of the *colored man* of the Union as well, and that the passage of the law placed a fresh jewel in Sumner's crown. The considerable and essential service of Sumner toward the success of the measure found grateful acknowledgement and appreciation from the two countries. The Liberian Commissioners, Alexander Crummell, Edward W. Blyden, and J. D. Johnson, who were at the time in Washington, promptly expressed the sentiments of Liberia to Mr. Sumner. "Had it not been for your masterly policy," they wrote him, "and your wise discretion, allied to a most persistent determination, we have reason to doubt whether the Bill of Recognition would not have met with a miscarriage during the present session of Congress."

The objection to the passage of the Bill of Recognition by Mr. Saulsbury, of Delaware, is so absolutely absurd, so incredibly comic, and utterly asinine, that the writer begs to reproduce it as a curiosity of the ratiocination of a slavemaster's mind in senatorial debate. "It is evident," observed the acute Mr.

Saulsbury, "that this bill is going to pass. I want the country, however, to know that, according to the rules of the Senate, foreign ministers have a right upon this floor, and we have set apart a portion of the gallery for the ministers and their families. If this bill should pass both Houses of Congress and become a law, I predict that in twelve months, some negro will walk upon the floor of the Senate of the United States, and carry his family into that gallery which is set apart for foreign ministers. If that is agreeable to the taste and feeling of the people of this country, it is not to mine; and I only say that I will not be responsible for any such act. With this I will content myself."

The final suppression of the slave-trade by treaty between Great Britain and the United States was another effective blow dealt the hydra of the land, the ratification of which by the Senate received the powerful aid of the Chairman of the Committee on Foreign Relations. The ratification of a treaty between the two countries giving to each on the coasts of Africa and America a restricted right of search in suspected vessels flying the national colors of the other was, so long as the slave-power dominated the Senate, a thing impossible of accomplishment. The right was yielded for the African coast, but persistently withheld for the American, where it was notorious that slavers prowled with their African victims for the Southern market. But as the war waxed a new spirit arose in the North against this inhuman commerce. A Federal law had denounced it as piracy and punishable with death. But while the slave-power ruled, the law remained on the

statute-book a dead letter. The rising hatred of slavery as the origin and mainspring of the Rebellion which was spreading through the North galvanized on February 21, 1862, into sudden and terrible life the dead letter of that law in the execution under it at New York of Nathaniel Gordon, an African slave-trader. The treaty for the final suppression of the atrocious traffic passed the Senate April 24, 1862.

Eight days before the ratification of the treaty for the suppression of the African slave-trade, slavery was abolished by law in the District of Columbia. Sumner sustained a principal part in the consummation of this great act. He was pained and discouraged by the absence from the annual message of the President of any proposition or discussion touching emancipation. There was nothing in that document to indicate that Mr. Lincoln was considering the subject at all. On the contrary, the President had told him of a circumstance which might lead him to infer that Mr. Lincoln was still opposed to the use of this best weapon in the prosecution of the war for the Union. From the report of Simon Cameron, then Secretary of War, the President had struck a strong passage in relation to this very matter. But, notwithstanding these unfavorable symptoms, Sumner began to feel assured that the President was seriously grappling with the question.

It was not long before Sumner's faith in the President was happily confirmed. Early on the morning of March 6th, he was summoned to meet Mr. Lincoln, who read to him the draught of the special message of that date, proposing compensated emancipation. Sumner, who was never inclined to attach much

value to the schemes for compensated emancipation, especially on a large scale, was too thankful for this evidence that the President was ready to move Abolitionward, to take a new departure, however slight, from the old policy of forbearance, for other than cordial words of welcome for the message. At his instance the President struck a doubtful paragraph from the draught. That day the message was communicated to the Senate, and the good work, as far as Mr. Lincoln was concerned, was begun, although no practical results followed this particular act of his.

The principle of compensated emancipation on a small scale had been embodied in a bill, introduced in the Senate by Henry Wilson, December 16th, for the abolition of slavery in the District of Columbia. Sumner, unwilling to indorse the principle of compensated emancipation because it involved recognition of right of property in persons, treated the measure as a scheme for the *ransom* of the slaves at the national capital. Rejecting with indignation the "wild and guilty fantasy that man can hold property in man," he nevertheless was ready to help to build "a bridge of gold" for the banishment of the barbarism of slavery.

"Amidst all present solicitudes," were the fervid and cheering words with which he closed his able and elaborate argument in support of the Bill for Emancipation, "amidst all present solicitudes, the future cannot be doubtful. At the national capital slavery will give way to freedom. But the good work will not stop here; it must proceed. What God and Nature decree Rebellion cannot arrest. And

as the whole widespread tyranny begins to tumble, then, above the din of battle, sounding from the sea and echoing along the land, above even the exultations of victory on hard-fought fields, will ascend voices of gladness, wherever civilization bears sway, to commemorate a sacred triumph, whose trophies, instead of tattered banners, are ransomed slaves." On April 16, 1862, the District Emancipation Act received the approval of the President. It was freedom's first practical victory over slavery in the Government.

Mr. Lincoln, true to his character for going *slow* where any disturbance of the *status quo* of the invested interests of slavemasters was involved, withheld his approval from the measure five days after it passed the House. This delay of the President gave rise to no little anxiety on the part of the supporters of the bill. Among these anxious friends was Mr. Sumner, who, during this painful period, called on Mr. Lincoln and expressed the astonishment which he felt that the author of the Special Message on Compensated Emancipation could postpone his approval of the District Emancipation Act a single night. "Do you know who at this moment is the largest *slaveholder* in this country?" Sumner asked the great man with caustic irony, and, without waiting for reply, answered thus: "It is Abraham Lincoln; for he holds all the three thousand slaves of the District, which is more than any other person in the country holds."

But if Mr. Lincoln was loth to meddle with the *status quo* of slavery in the Union, not so was Mr. Sumner who was ever in motion and running atilt, now at one, now at another of the many heads of the

colossal evil. Now, it was against the incredible meanness of that proscriptive spirit which denied to the colored citizens going abroad the passport of the Government, or which refused to issue patents to inventors on account of color; now it was against those twin abominations which erected a man's color into a legal barrier to his carrying the mails, or made it a ground for excluding his testimony in judicial proceedings held under the Black Code of the District of Columbia and of the slave States, "*wherein*," so runneth the black letter of the Black Law, "*any Christian white person is concerned*."

Sumner began his efforts for the annulment of this infamous law, while the District Emancipation Bill was under consideration in the Senate. Aware that its total abolition would not be immediately effected, he moved to amend the Bill by the addition of a provision which prohibited "*the exclusion of any witness on account of color*," in proceedings held under the Act. This was the thin edge of the movement for the civil rights of colored persons in the United States, the first step taken by the Government toward equality before the law.

Having obtained so much for his colored fellow-citizens, Sumner, a few months later, made a second attempt in the same direction, and this time it was to extend the immunity to all judicial proceedings in the District. The second attempt proved also successful, and equality began to erect its benign crest over the Black Code of the national capital. Sumner, ever persistent and indefatigable, made a third attempt still further to broaden the immunity, by extending the operation of the principle of non-exclusion to the

Southern States in judicial proceedings had under the Confiscation and Liberation Act. But this step was farther than the Senate was ready to go at that time. And so Mr. Sumner's amendment was rejected. Congress, like the President, was singularly timid in inaugurating any novel policy in that regard, surprisingly tender of the rights and prejudices of slavemasters at the expense of the slaves.

Defeat had no deterrent effect upon a mind like Sumner's. Failing once, he tried again and again until he succeeded. Three times he attempted to extend the principle of non-exclusion and equality to the proceedings in the courts of the United States, before he was enabled to carry his point. In the summer of 1864 he attached his proposition to the Sundry Civil Appropriation Bill as an amendment, and thus forced its consideration upon the Senate. John Sherman "trusted that after the experiences of last night when the thermometer here rose to 93° and we were exhausted by debate on irrelevant matter, the Senator from Massachusetts would not introduce upon this appropriation bill a topic of this kind." But Mr. Sherman's protest was in vain, for neither the heat of the evening nor the disapproval of Senators could deter Sumner from his purpose to purge the laws of the Union of the stain of slavery, and to redress the wrongs of an oppressed race.

His vigilance and persistency secured at this time a double triumph for freedom. On the selfsame appropriation bill he grafted an amendment for the abolition of the coastwise slave-trade. In no other way had he been able to force the continued existence of this barbarism upon the attention of the

Senate. Mr. Sherman, as Chairman of the Finance Committee, deprecated the amendment, not because he was opposed to the proposition, but that he wanted his bill kept free from "disputed extraneous political questions." But Sumner was firm, uncompromising, and so in the end the Senate, and not he, yielded, and the rider passed with the bill.

Thomas H. Hendricks, of Indiana, in the course of a speech in opposition to Sumner's amendment for the abolition of the coastwise slave-trade uttered the following significant remarks: "I am surprised that any Senator should oppose the proposition of the Senator from Massachusetts, for we all know that eventually it will be adopted. The objection as to its materiality or proper connection with the measure is but an objection of time. No gentleman can question that the Senator from Massachusetts will eventually carry his proposition. Why, then, contest the matter longer? It may as well come now as at any time." The fact is, Sumner was the anti-slavery trail-finder and path-opener for the Government. Where he made a way, Congress and President were, in time, sure to follow.

His earnestness and radicalism were not always relished by the administration and his associates in the Government. That, however, did not make him less so. It was for him to press forward himself, and to urge forward others in this emergency, whether they chose to hear and heed him or not. He had an intolerant, uncompromising manner toward slavery and toward anyone who sought to buttress its barbarisms with the authority of the nation whose life it was seeking to destroy, which was at times, no

doubt, a sore thorn in the sides of the cautious, conciliatory President. Edward Stanley, Provisional Governor of North Carolina, arouses the hot indignation of this man with his passionate hatred of slavery, by an attempt to revive the Black Code of that State which made the teaching of negroes a criminal offense. When Sumner heard of this shameful attempt, he hurried to lay the matter before Mr. Lincoln. Not finding that usually placid and jocose magistrate at the executive mansion, Sumner followed him to the War Department. There he laid his case before Mr. Stanley's master. But Mr. Stanley's master, possibly worn out with the Abolition badgering with which he was treated by Mr. Sumner whenever they met, either by accident or appointment, and, possibly, struck also by the apparent triviality of the subject and the inopportunity of the visit, quite lost his patience, exclaiming petulantly, "Do you take me for a school committee-man?" "Not at all," Sumner replied, "I take you for President of the United States; and I come with a case of wrong, in attending to which your predecessor, George Washington, if alive, might add to his renown." Such earnestness and dignity smoothed the ruffled temper of George Washington's worthy successor, who, thereupon, with perfect kindness considered the case with his friend.

At last, after nearly two years of terrible conflict and destruction of life to save the Union with slavery, Mr. Lincoln was ready to try the other horn of the dilemma and test the salvability of the nation without slavery. To this end, on September 22, 1862, he announced his purpose to grasp Emancipation as

an instrument in the struggle. On that date he issued his preliminary proclamation, which declared that the slaves in all States in rebellion on January 1, 1863, should be thenceforward and forever free.

Directly the President had firmly seized Emancipation as a weapon for putting down the Rebellion, Sumner started the agitation for colored troops. Two weeks after the preliminary proclamation was issued, he launched from the platform of Faneuil Hall the proposition to turn the slaves into soldiers. He pointed to Crispus Attucks, to Peter Salem, and to heroic instances during the war for the Union, as proof positive that the negroes possessed the stuff out of which good fighters were formed. Strike slavery, the origin and mainspring of rebellion, with the strong arm of the slave. Destroy the Rebellion by destroying slavery and arming the blacks. Emancipation and colored troops are the powder and ball which Providence hath rammed into the cannon of the North. Empty the Providential broadside into the flanks of the foe, these and more he thundered in the ears of the Government and the country.

Other and mightier voices were thundering for colored troops also, passionate voices of lamentation, of frightful reverses, of broken and flying armies, of baffled friends of the Union whose hearts were growing sick at the gloomy, the almost hopeless, outlook for a speedy restoration of peace to a bleeding and distracted land.

As early as July, 1862, the disastrous fortunes of the Union forces were constraining the Government, in its emergency, to make use of all the means which the state of the country had put within its reach for the

suppression of the Rebellion. Military necessity was plainly demanding that the services of the blacks in some capacity should be enlisted on the side of the nation. And so on the 17th of that month the President affixed his approval to a bill authorizing him, "to receive into the service of the United States, for the purpose of constructing intrenchments or performing camp service, or any other labor, or any military or naval service for which they may be found competent, persons of African descent; and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe." This was the first cautious step taken toward carrying Africa into the war, the beginning, in fact, of colored troops.

On February 9, 1863, Mr. Sumner introduced in the Senate a bill for the enlistment of slaves and other persons of African descent. But the measure was allowed to sleep the sleep of death in the Military Committee to which it was referred. It was not until a year afterward that the subject was revived in the House by Thaddeus Stevens, when the employment of colored troops was expressly authorized.

Colored troops were employed, however, many months before the tardy enactment of this law. On January 26, 1863, Secretary Stanton gave permission to Governor Andrew to raise a colored regiment. This regiment, the afterwards famous Fifty-fourth, was raised, and the following May ordered to the seat of war in South Carolina, where, under its gallant young Colonel, Robert G. Shaw, it demonstrated before Fort Wagner that the blacks had the stuff of

true soldiers in them. Subsequently Massachusetts sent two other regiments of colored soldiers into the field, one of infantry and the other of cavalry. Their fighting qualities were soon established. If at first the employment of colored troops was a hard riddle to many minds, those three black regiments wrote the glorious answer clear and large for the nation to read. And the nation, notwithstanding its pro-slavery goggles which minimized and distorted everything connected with the humanity and manhood rights of this unfortunate race, was not so blind to its own emergent needs as to miss the point, and immense significance of the lesson writ in the blood and valor of its colored contingent.

But, though the North was not in these circumstances blind to its own dire needs, it proved, on almost every occasion calling for justice to its colored allies, blind enough to their simplest demands for fair and equal treatment. There is something incredibly mean in that pro-slavery spirit which, after calling men to fight and die to preserve the life of the nation, could refuse them equal pay with the other soldiers on account of their color. Nevertheless, of such incredible meanness was the Government certainly guilty toward its colored troops.

Keenly did Mr. Sumner feel this outrageous discrimination against his wards. Again and again he attacked it, sought repeatedly to place the black soldiers on an equality, in respect of pay and bounty, with their white brothers in arms. He was not alone in efforts to this end. Wilson and Fessenden in the Senate, perceived with him the wrong and endeavored to have it redressed, but not with the moral

earnestness and persistency which characterized the endeavors of Sumner in that regard.

The Fifty-fourth and the Fifty-fifth Massachusetts regiments of colored troops enlisted with the understanding that there was to be no discrimination against them, on account of their color. But, all the same, the Government paid them ten dollars a month, where it paid thirteen to the privates of white regiments. Massachusetts tried to correct this injustice by making up out of her own coffers these three dollars to the men. But when this difference was sent to be paid to those two regiments they firmly declined to receive the money lest by so doing they compromised their demand for equality in the army.

In February and June of 1864, Mr. Sumner pressed this subject upon the attention of the Senate, arguing that the wrong done had no warrant in law since those regiments did not enlist under the Act of 1862, which contained a special provision with reference to African troops, but under that of 1861, which contained no such provision, and authorized enlistments for three years. The question was finally settled, not by legislation, but through the interpretation of the statutes by the law department of the Government. The Attorney-General, Mr. Bates, in affirming the equal rights of colored soldiers, put an end to this odious caste distinction in the national service, and constrained the Government to a step of tardy justice.

The Government, in both its legislative and executive branches, manifested from first to last an extraordinary timidity or indisposition to advance the interests of the colored race. Fear of the border

States was, probably, responsible for much of this singular conduct, but colorphobia in the Government itself played, without doubt, an important part in its production. The records of those years are full of examples of this character. Here is an instance in point: Henry Wilson, as early as January, 1864, embodied in a bill to promote enlistments a clause, declaring that when "any man or boy of African descent, or in service or labor in any State, under its laws, should be mustered into the military or naval service of the United States, he and his mother, wife, and children shall be forever free."

This perfectly just and very moderate measure required a year and a month before its friends could secure its enactment into law. "Future generations," exclaimed Sumner, in his closing remarks upon the bill; "Future generations will read with amazement, that a great people when national life was assailed, hesitated to exercise a power so simple and beneficent; and this amazement will know no bounds, as they learn that Congress higgled for months on a question, whether the wives and children of our colored soldiers should be admitted to freedom."

Slavery died hard. Fugitive slaves were hunted in the District of Columbia even after the passage of the District Emancipation Bill. The poor fleeing creatures were returned again and again to their owners by the Union armies. These acts became so frequent and general that Congress, in the summer of 1862, prohibited military and naval officers from erecting themselves into commissioners for the return of fugitive slaves on pain of being dismissed from the service.

In February, 1864, Mr. Sumner reported from the Committee on Slavery and Freedmen a bill for the repeal of all Acts for the rendition of fugitive slaves. The bill he accompanied with a comprehensive report, reviewing the history and influence of slavery in the Government in its relation to these acts, and closing with a demand for their entire and instant repeal. But, notwithstanding that the Emancipation Proclamation had been issued more than thirteen months before, and that the Secretary of War had more than a year previously given Governor Andrew official permission to raise a regiment of colored troops, and that at the time of its introduction in the Senate, several colored regiments were in the field fighting the battles of the country, yet the history of its passage through Congress was another repetition of the old, shameful story.

That the repeal of the Fugitive Slave Acts should be bitterly opposed by the Democrats was not at all surprising, but we confess to no little astonishment in noticing that Senator Sherman obstructed its passage through the Senate, that he actually sought to emasculate the bill by an amendment which saved the Fugitive Slave Law of 1793 in full force on the statute-book, and that this proposition was adopted and grafted on the bill by the Senate. Mr. Foster, of Connecticut, on April 20, 1864, made an elaborate argument in vindication of the Act of 1793.

With Mr. Sherman's pro-slavery amendment grafted upon his bill, Mr. Sumner wisely refrained from pressing it to a vote, but determined, as he not infrequently did in similar circumstances, to await the action of the House, which on June 13th passed a

bill repealing *all* the Fugitive Slave Acts. This measure Mr. Sumner reported in the Senate and pressed to a vote. It was not until the 28th of June that this bill became a law, *i. e.*, more than five months after the date on which Mr. Sumner introduced the proposition in the Senate. However, thanks to his persistency, Congress had at last made an end of those wicked laws, and dealt another blow to the expiring slave hydra.

"The main proposition ever is to strike slavery whenever you can hit it," retorted Sumner to John Sherman during the consideration of the bill to liberate the wives and children of colored soldiers. Mr. Sherman had moved to postpone consideration of the measure "with a view that we may act upon the main proposition," to wit, the constitutional amendment abolishing slavery. Sumner was certainly not less earnest and persistent for the adoption of the constitutional amendment than was Mr. Sherman. But he did not feel that because the joint resolution was on its passage through Congress that all anti-slavery efforts were to be pretermitted in the meantime. And, without doubt, it behooved him, who was bent on the death of slavery as no other member of the Government was, to continue without cessation the struggle for its destruction. For the joint resolution was more than a year on its way through both branches of Congress; and it was two years in all from its introduction to the final ratification of the amendment by the requisite number of States and proclamation of that fact by Mr. Seward, the Secretary of State.

Sumner was right to take nothing for granted

where slavery was concerned, to regard the enactment of no measure, however just and expedient, which involved the abolition of the curse as a foregone conclusion. He was strongly and sternly unwilling to commit the fate of the slaves, in any degree, to the chapter of accidents and chances. He was for striking the fell destroyer of the freedom of the colored race and of the peace of the Union whenever and wherever Congress could do so. And this was at all times and under all circumstances his *main proposition*.

The final breaking down of caste distinction on the street cars of the District of Columbia was achieved largely through his active and persistent hostility to it. In hitting it he knew well that he was hitting one of the many heads of the monster wrong of the land. And it was characteristic of him that when he began to operate with his club upon one of those baleful heads, he desisted not until that particular foe of freedom was subdued and beaten to the earth. One after another of the street-car lines of the capital he attacked, as they entered the Senate to obtain renewals of their franchises, with his invariable amendment to their respective bills for incorporations :

"Provided, That there shall be no regulation excluding any person from any car on account of color."

The last of these street railway companies to succumb was the Washington and Georgetown Company, which in February, 1865, surrendered to the genius of equality before the law. After this time it was illegal for any street railway company in the District of Columbia to exclude from its cars any person on account of color. But even then Mr. Sum-

ner did not put aside his club, and well that he did not. For the fight for equality on the cars was not yet finished. The Washington and Georgetown Company neglected to comply promptly with the provisions of the law, by keeping up the discrimination against colored persons who sought to enter its cars. When this illegal action was brought to Mr. Sumner's knowledge, he wrote a sharp note to the president of the company, calling his attention to the failure of his agents to obey the law, and serving notice on him that, unless the breach was mended, he, Mr. Sumner, would at the next session of Congress move the forfeiture of the charter of the corporation. This determined front brought the company to its senses, and consummated the final opening of the street-cars of the District of Columbia to all persons, regardless of race or color.

Slavery is dying on sea and land. Rebellion everywhere through the length and breadth of the South is collapsing under the tremendous trip-hammering of Grant, Sherman, and the Union armies, reinforced now with more than 150,000 colored soldiers. Sherman begins his masterly march to the sea. Now Atlanta falls before the advances of his resistless legions, now Savannah, now Charleston. Now Grant has begun those incessant and mighty blows, which are to drive the rebels from Richmond, to beat to pieces the proud and hitherto invincible army of Northern Virginia, and to force Lee to surrender. All these great events were coming to pass while slavery lay writhing in death throes. Terrible in life, it was appalling in death. Its last act was worthy of it, that act which added the assassination of a Presi-

dent to the black mountain of its matchless horrors and iniquities.

Lincoln and Sumner, though unlike, were nevertheless the best of friends. No more faithful supporter had Mr. Lincoln than was Mr. Sumner. They, notwithstanding frequent differences, were cordially appreciative of the virtues of each other. Sumner heartily and unwaveringly urged the President's claims to renomination and reëlection. Others of the radical and anti-slavery wing of the Republican party preferred Chase, but close friends as were Sumner and Chase, the former never disguised his decided preference for Mr. Lincoln as his own successor. Lincoln was slow, excessively cautious perhaps, yet he was in the main inclined Abolitionward. At any rate he was a bird in the hand, while all other candidates were regarded by Sumner as, politically, so many birds in the bush. He very wisely refused to imperil the anti-slavery accomplishments and prospects of the war in the crisis of a change of administration.

The circumstances of his last conference with the President are infinitely creditable to the heads and hearts of both. In June, 1864, it appears that the Smith Brothers, of Boston, were, by order of the Navy Department, charged with fraud in the performance of certain contracts with that Department. They were imprisoned in Fort Warren, and bail placed at a half million dollars. The trial of these men was held before a military tribunal, which sentenced them to two years' imprisonment, and to pay a fine of twenty thousand dollars.

Sumner laid the case of the convicted men before

the President, and appealed to him to revoke the sentence of the court. Mr. Lincoln, who was evidently impressed with Mr. Sumner's representation of the facts, requested him to read the report to the Secretary of the Navy in relation to the case, and to give an opinion of the same. This Sumner did at once, and prepared for the President a written opinion thereon. As soon as this was done he presented himself at the executive mansion. It was late in the afternoon, and the illustrious object of his visit was on the point of entering his carriage for a drive. The President suggested that the transaction be put off until next day. But Mr. Sumner replied that it was a case which did not admit of delay, and that the President ought not to sleep that night until he had considered it.

Touched by Mr. Sumner's earnestness, Mr. Lincoln made an appointment with him for eleven o'clock that evening. At that hour, and through a thunder-storm, Mr. Sumner joined the President, who was promptly on hand to listen to the opinion which he had requested.

At the conclusion of the reading of it, Mr. Lincoln said that he would write his opinion at once, and invited Mr. Sumner to call the next morning to hear it, adding defensively, that he "opened shop at nine o'clock." At the time appointed Mr. Sumner was on hand, and read with satisfaction the President's disapproval of the judgment and sentence.

While Mr. Sumner was making an abstract of the Presidential indorsement, Mr. Lincoln regaled him with passages from the effusions of Petroleum V. Nasby. The reading was diversified with a running

commentary from the reader. "For the genius to write these things I would gladly give up my office," he repeated enthusiastically to Mr. Sumner, as the message which he had sent the author. This singular entertainment lasted about half an hour. It was the last time that these two great men met for the transaction of public business. For on March 23, 1865, the President left Washington to join General Grant at City Point, where he remained until after the fall of Richmond. He returned to Washington April 9th, and on the following Friday evening, April 14th, was shot by J. Wilkes Booth, and died early the next morning.

No more generous and glowing tribute was pronounced over the grave of the illustrious martyr to Liberty and Union than was Sumner's eulogy before the municipal authorities of the city of Boston, June 1, 1865. True to his habit of ending no speech unless in some way it demanded the destruction of slavery, the orator did not allow such an imposing occasion to pass without calling for the total annihilation of the accursed thing, with its vast spider-like web of caste and inequality. The permanent supremacy in the Republic of the ideas for which the North had fought, depended, he solemnly declared, above the grave of the great statesman who had met martyrdom for those ideas, upon the extension of the suffrage to the colored men of the South. Indemnity for the past, and security for the future was the one cue which he had chosen to guide his feet through the mazes of reconstruction of the rebellious States.

## CHAPTER XIV.

### RECONSTRUCTION AND COLORED SUFFRAGE.

At the close of the war the gravest of problems remained to be solved. The riddle of the slave sphinx still awaited its Oedipus. How should local self-government be reconstituted in the old slave States was the momentous question then to be settled. Sumner had his plan, others theirs. His he erected on the simple basis of equality. No mere party considerations entered into its straightforward intention. He was not careful to enfold within his scheme any principle or device looking to the political supremacy of his section as a section. It was freedom which he was ever and solely solicitous of establishing, the supremacy of democratic ideas and institutions of securing and assuring forever to the new-born nation. He desired and strove for the ascendancy of his section and party so far only as they were the actual custodians of national justice and progress, the real possessors of the great and quickening principles of human rights enumerated in the Declaration of Independence.

Long before the end of the Rebellion Sumner's mind had begun to grapple with this problem. As early as February 11, 1862, he broached the subject in the Senate in a series of resolutions touching the constitutional status of the rebellious States, and the

duty of Congress in regard to their government and reconstruction. "State rebellion is State suicide," was the pivotal proposition of the resolution. With the termination of Statehood slavery terminated also, since it derived its existence solely and exclusively from the authority of the State. By reason of their insurrection against the supremacy of the Constitution, the Southern States had reverted to a Territorial condition, and, like all national territory, their government devolved upon the United States.

It was, therefore, the duty of Congress to "assume complete jurisdiction of such vacated territory, where such unconstitutional and illegal things have been attempted, and proceed to establish therein republican forms of government under the Constitution, and in the execution of this trust provide carefully for the protection of all the inhabitants thereof, for the security of families, the organization of labor, the encouragement of industry, and the welfare of society, and in every way discharge the duties of a just, merciful, and paternal Government."

Such was the radical and comprehensive scheme for Southern reconstruction presented thus early by Sumner. Its introduction produced quite a flurry of feeling in the Senate and the country at large. Republican leaders, like Fessenden, Sherman, Doolittle, and others, promptly disowned it as the policy of the party. They were not mistaken in so doing, for the Republican party at that time had not so much as dreamed, in the brain of any other man than Sumner's, of a plan at once so bold and radical for the reconstruction of the rebellious States. Four years later, however, these very leaders and the

great body of the Republican party had caught up with Sumner on this question, and occupied then substantially the position taken by him in those famous propositions.

These propositions he elaborated and defended in an article, published in the *Atlantic Monthly* for October, 1863, and entitled "Our Domestic Relations," which the paper contended hinged upon one question, viz.: How to treat the rebel States. State suicide and the reversion to territorial conditions of States in insurrection against the supremacy of the Constitution, which was the keynote and the key-stone of the article, ran, without doubt, entirely counter to the constitutional fiction of once a State always a State which lay at the bottom of the policy of the administration in the conduct of the war. So totally distinct was Sumner's idea from that which had officially obtained in the prosecution of the war, that Montgomery Blair, a member of Mr. Lincoln's cabinet, felt it incumbent upon him to take issue with the article and to point out that its author had directly arrayed himself against the President on a question of fundamental policy in the conduct of the war.

The tremendous struggle in which the nation was engaged for its life attracted the entire attention, absorbed the utmost energies which could be put forth of Government and people. There was neither time nor disposition, under these circumstances, to consider less imperious questions. Catch your fish and do your frying afterwards. Conquer the rebellious States, then determine how they shall be treated, was the unconscious policy pursued by the

Government until near the close of the war. Even Sumner, forehanded as he always was where freedom was concerned, was silent on the subject of reconstruction after the publication of his *Atlantic Monthly* article until the spring of 1864, when the Senate having under consideration the credentials of certain claimants as Senators from Arkansas, he introduced a resolution declaratory of the necessity of the vote of both Houses of Congress for the readmission of rebel States into the Union.

And a little later, on June 13th, in fact, when the Senate was discussing a joint resolution for the recognition of the free State government of Arkansas, he spoke with almost unwonted earnestness, urging the importance of making haste slowly in that direction, as well as the duty of securing from the rebel States, what he described as "irreversible guaranties," as a condition precedent to their readmission into the Union which they had attempted to destroy.

The question raised by the joint resolution seemed to him the gravest presented for decision since it was determined to meet the Rebellion by arms; and he opposed the admission of Arkansas, at that time and under then existing circumstances, as "improper, unreasonable, and dangerous." "The readmission of a rebel State," he declared, "is not less important than its original admission into the Union."

"It is not enough," he argued, "if we comply with certain forms as constitute a State in name only. Much more must be done, and all this must be placed under fixed and irreversible guaranties. Vain

is victory on the field if these guaranties are not obtained." But the Senate was not yet ready to grapple with the problem mooted by Mr. Sumner. The resolution for the admission of Arkansas, and that of Sumner defining one of the conditions of reconstruction, on reference to the Judiciary Committee, were reported upon adversely by that Committee, which had the effect, for the nonce, to push out of the Senate the whole subject of Southern reconstruction.

With the sweeping successes which were attending the Union armies in the field, and the probable certainty of the speedy collapse of the Rebellion, the subject of rebel reconstruction began to attract the notice of others in Congress than Mr. Sumner. As early as February 15, 1864, Henry Winter Davis, of Maryland, reported a bill in the House to guarantee to certain States, "whose governments have been usurped or overthrown," a republican form of government. This bill among others provided for the assembling of constitutional conventions, chosen by "loyal white male citizens."

In the Senate the principle of colored suffrage as an element in the reconstruction of the rebel States was proposed for the first time by an amendment to the Davis Bill, extending the basis on which the constitutional conventions were to be chosen so as to include the Freedmen. But the Senate by a vote of five to twenty-four rejected the novel and revolutionary proposition. Clearly the idea of colored suffrage had not then found a foothold, certainly not more than a foothold, in the Republican party. The House Bill was finally passed by the Senate, but, even

without the new radicalism of suffrage for the Southern negroes, it failed to meet the approval of the President. And so came to naught another attempt to formulate a scheme for the reconstruction of the South.

The principle of colored suffrage the Senate had twice before voted down, first, in the case of the Territory of Montana, when a bill organizing for it temporary Territorial government, was under consideration; and, second, in the case of the city of Washington, when a bill to amend its charter was on its passage through that body. In both instances it was attempted, without avail, to extend the elective franchise to colored men, inhabitants of the Territory and the city respectively. Sumner strove strenuously on each occasion against the non-exclusion of colored citizens from the register.

About the beginning of 1865, the subject of reconstruction had made considerable progress upon the attention of statesmen. The case of Louisiana served still further to advance the question in that regard. On February 18th, Mr. Trumbull reported in the Senate a joint resolution recognizing the government of that State, inaugurated by a convention held at New Orleans, April 6, 1864, as the legitimate State government. There was no provision in the new order thus instituted, which extended the right to vote to the negroes. The State, therefore, was to remain in the hands of the very people who voted four years before to take it out of the Union. The danger to freedom, to the Northern idea which the war was establishing at an expenditure of so much blood and treasure seemed to Sumner extreme in

view of the possibilities of a return of the South to power, opened by the Louisiana Bill.

The readmission of Louisiana was a pet enterprise of President Lincoln. He had set his heart on inaugurating his experimental policy for the reconstruction of the rebellious States with the restoration of this one to its old place in the Union. The joint resolution was accordingly pressed upon the attention of the Senate, and a vote insisted upon. But no vote could its friends obtain, owing largely to the firm and vigilant opposition of Sumner, and to his parliamentary skill in the contest, which continued several days before a postponement of the subject was secured. Another attempt to reconstruct the South thus came to naught. If the Republican party was not then at all disposed to adopt Sumner's plan, it was not altogether willing to swallow the President's, for the constitutional rehabilitation of the slave States.

The struggle over the Louisiana Bill developed the fact, that at that date the Republican party was not in favor of adopting colored suffrage as a condition of reconstruction, nor was it included in the President's scheme. On the contrary, it was an open secret that Mr. Lincoln took the failure of the joint resolution to pass the Senate quite to heart. He was sorely disappointed and chagrined, so much so, indeed, that it was thought Mr. Sumner's responsibility for the failure would cause a breach between him and the President. But Mr. Lincoln was a politician of too much calculation and tact to allow the occurrence, however unpleasant, to interrupt the intimate personal and political relations which existed be-

tween himself and so powerful a leader. Accordingly, on the evening of March 5th, he promptly stopped the wagging tongue of Madame Rumor by inviting Sumner to accompany him to the inaugural ball, where the two statesmen appeared before the public on the old friendly footing.

Had the wise and tactful Lincoln remained at the helm during his second term, it is impossible to say how far he might have been able to control the reconstruction policy of his party. That he would have exerted a distinct influence in shaping its character seems not at all improbable. But his death put a man in his place, as lacking in his great qualities of mind and heart as it was possible for destiny to pick up wherewith to present a Presidential contrast. It is hard to understand why Lincoln was taken and Johnson left. But as there are no accidents in the universe, Andrew Johnson, therefore, could not have been an accident. We must believe that his accession to the Presidency, at the time and under the circumstances, was one of those historic occurrences through which an "increasing purpose runs."

About a week after the death of his great predecessor, Chief Justice Chase and Mr. Sumner called in company on the new head of the nation, to learn something of his intentions with regard to the reconstruction of the rebel States, and to urge him to espouse the cause of equal rights for the colored race. Mr. Sumner fancied that the President seemed impressed. A few days later, Sumner, who was full of uneasiness and apprehension as to the President's course toward the South, called again on Mr. Johnson, and had a second conversation with him on matters discussed dur-

ing the first visit. It is possible that Sumner and the Chief Justice did all the talking at that time, and that Sumner, who was alone at the second call, talked the whole time then also to the willing exclusion of the President. Be that as it may, Sumner went away believing that he had received from the strange man positive assurances of agreement on the colored-suffrage question.

To Mr. Sumner's appeal to him to use the power and influence of his great office toward carrying into the new political order, then soon to be established in the South, the principles of the Declaration of Independence, Mr. Johnson replied: "On this question, Mr. Sumner, there is no difference between us; you and I are alike." Sumner went away deceived in the purpose of the President. It is possible that Mr. Johnson was no less deceived in his own purpose. His visitor and himself forgot, perhaps, in the glow of Sumner's earnestness and eloquence, that, after all, he, Andrew Johnson, President of the United States, was a Southern man, with the traditions, the prejudices, the mental and moral limitations of his section, from the slavery of which no Emancipation Proclamation was able to liberate his mind, free him for one moment, as a voluntary and thinking being, and ex-slaveholder.

It was natural enough that such a man should approach the Southern problem from the standpoint of his section rather than from that of the North, and that he should attempt to reorganize civil society in the old slave States in the interest of the old masters rather than of the freedmen. Such an attempt, however, at the time was utterly impracticable—could not

possibly succeed. No reconstruction of the seceded States had the slightest chance of adoption as the national policy in that regard, which proceeded upon the absurd assumption that the victorious North had nothing to do with the business. But unfortunately such was the character of President Johnson's reconstruction policy.

On the other hand, the old slavemasters, in the sun of this extraordinary policy, undertook to frame constitutions and establish governments upon a corresponding assumption that their former slaves had no rights which Southern white men were bound to respect. When the work of framing the new constitutions and laws was finished, it was plain to the dullest comprehension that the freedmen were as completely serfs under the new order as they had been slaves under the old one. Nothing was changed except a name. The old wrong lived on, vital in every part. If African serfdom was now to take the place of African slavery, was the serf-power to ascend the throne of the slave-power also? What, then, had the war settled? What had the expenditure of the blood and treasure of the North effected, if instead of Southern slaves the nation was to be cursed with Southern serfs, if in room of the rule of slavemasters there was to succeed the reign of serf-masters? Like fire these passionate questionings ran through the North. The conflagration which ensued consumed to ashes this first attempt to reconstruct the rebel States. But we are anticipating.

Congress had adjourned, and Sumner had gone home under the glad impression that the anti-slavery work of his life was ended, when the President began

his reconstruction performance, which, as it progressed from one reactionary step to another, excited through the North astonishment and consternation, accompanied by a rapidly increasing storm of protest and indignation.

Northern alarm and Northern demand found voice in a speech made by Sumner before the Republican State Convention of Massachusetts, held at Worcester, September 14, 1865. Sumner, in view of the grave emergency which the President's Southern policy had precipitated upon the country, was chosen to preside at this convention. To him all the friends of freedom turned in the new crisis for instruction and inspiration, and from such a platform his words were sure to go to the ends of the North. Without expressly taking issue with the President, for Sumner and others still clung to the delusion that Andrew Johnson might be made to see the error of his way, and be induced to take a fresh departure in unison with Northern sentiment and purpose on the reconstruction problem, and were, therefore, somewhat mindful not to launch into hasty opposition to the official head of their party, the Worcester address, nevertheless, sounded the keynote of the Republican reconstruction policy with no uncertainty of meaning.

Justice and protection was its watchward. Justice to the freedmen; protection for the North. They were intimately linked, the one with the other. Security for the future should be the corner-stone and keystone of the reconstructed Union. Defeated in war, the South designed now to retrieve its broken fortunes by a resort to fraud and cunning in the

restored Union. The abolition of slavery it was scheming to nullify by substituting for it the old wrong under a new name. The freedmen were to be chained to the soil, reduced to serfdom, while the rebel States were to return to their old places in the Union, in consequence, stronger in federal numbers than when they seceded, to set up a slave-empire. This enlarged representation, conspiring with the Copperhead party of the North, would presently reëstablish Southern domination in the Republic.

This well achieved, the new serf-masters would proceed with the execution of their monstrous programme which included a repudiation of the national debt or else an intention to fasten upon its payment, as a condition, the payment of the rebel debt, also compensation for the emancipated slaves, and the pensioning of rebel soldiers equally with loyal ones. Safeguards, irreversible guaranties, security for the future against these perils must be demanded and insisted upon by the Republican party, speaking and acting for the victorious North.

Irreversible guaranties could not be obtained by *haste*, by executive action, by yielding to the prejudice of color, by oaths, or pardons. How then may they be obtained? (1) Time is necessary; (2) rebels must be excluded from political power; (3) a hand of iron in a velvet glove is required in dealing with the leaders of the Rebellion; (4) the North must turn to constant loyalists in the South, regardless of race or color; (5) it must look to Congress which has plenary powers over the whole subject; and, finally, all of the guaranties thus obtained must be completed and crowned by an amendment of the

Constitution expressly providing that hereafter there shall be no denial of the elective franchise or any exclusion of any kind on account of race or color, but all persons shall be equal before the law.

Thus spoke Sumner to Massachusetts, who in turn took up the stern, deep note and sent it pealing through the North, and in the ears of the President. But all heedless of the rising storm, Andrew Johnson bent himself stubbornly upon his obnoxious course. In November Sumner remonstrated by telegraph with him. They were words thrown away. Republican remonstrance and protest exerted not the slightest effect upon the conduct of the President, who, metaphorically, had taken the political bit between his official teeth, and, regardless of the frantic outcries of the North, was dashing willfully and viciously with the results of the war toward an overturn where all would be lost.

The Republican party was almost stupefied with fright. Thaddeus Stevens, who had not yet adopted colored suffrage as a condition of reconstruction, was almost in despair, lest the North should, since the President had proceeded so far, acquiesce in his policy as a finality before the meeting of Congress in December. Stevens had but one hope, which was to get the rebel States in a territorial condition. This was in the line of Sumner's reconstruction policy. That once accomplished, the Pennsylvania Congressman did not doubt Congress would then be able to deal with the question, and avert the impending peril to Northern political ascendancy which was generally looked upon as one of, if not the capital achievement of the war.

Henry Winter Davis saw but two modes of averting the threatened catastrophe of a return to power of the South in the restored Union, and they were for Congress on assembling "to pass a law by two-thirds over the President's veto, prescribing the conditions of reconstruction of any State government, and declaring none republican in form which excludes negroes from voting," or secondly, "to pass an amendment of the Constitution over the head of the President, prescribing universal suffrage." Mr. Davis did not, however, anticipate with any confidence that the then coming Congress would be equal to these things. He was in despair at the national outlook, and died suddenly when Congress had been in session but a few weeks.

Sumner shared in the general dejection and foreboding of disaster. His apprehensions as a statesman and a man were indeed intense. So great were these fears of evil that he determined to make a final attempt to induce the President to hearken to the prayers and remonstrances of his party, and to abandon his mischievous policy in the treatment of the rebel States. On the eve of the assembling of Congress, he called on Mr. Johnson in pursuance of this purpose, and though the interview lasted three hours, Mr. Sumner at its close was convinced that the President was beyond the reach of reason, and that there was nothing for the Republican party to do, under the circumstances, but to annul by Congressional action the Presidential policy, and to save the results of the war to the North and the negro by a reconstruction which should guaranty protection to the one and citizenship to the other.

The prevision of Winter Davis, that the Congress which was to convene in December, 1865, would not be equal to the contest with the President, was fully borne out by its performance, or rather by its failures in that regard. This was owing partly to the indisposition of many Republican members of both branches to take issue with the administration, lest the doing so should perchance divide and damage the party, but more especially was it due to their strong unwillingness to adopt the idea of colored suffrage as a condition of reconstruction of the rebel States.

In one form or another the equal rights of the colored race was almost constantly before that Congress. It was actually equal, however, to the passage, over the veto of the President, of the first Civil Rights Bill, which opened all courts, State and national, to colored persons as parties and witnesses, as to white citizens, but it could not conquer its prejudice against an extension of the suffrage to the Southern colored man, until assisted by the fall elections of 1866. To cross that rubicon of reconstruction a radical leader like Sumner could not budge it an inch during its long session. The Republican majority of both Houses shrank back from colored suffrage as the Government had previously shuffled and played the coward before emancipation and colored troops.

How to protect the North and the Republican party against the return to power of the South, without resorting to colored suffrage, was in truth the problem which that Congress endeavored to solve. Could the ascendancy of the Republican party be preserved, and Northern supremacy in the recon-

structed Union be secured, without having recourse to so extraordinary and extreme a measure? If so, that Congress wanted to discover just such a go-between way, and to walk therein. This was true, then, of leaders like Fessenden, Sherman, and Trumbull, who afterwards accepted the new radicalism, aye, of stout-hearted Thad. Stevens, and sturdy Ben. Wade as well. They all in that Congress desired and sought without ceasing another and more convenient way to attain their object, viz., the political ascendency of their section in the Republic, the erection of a permanent barrier against future tidal waves of Southern domination over it.

This grand end Congress attempted to reach by a proposition to apportion representatives among the several States according to population, with a proviso which excluded from the basis of representation all persons excluded from the right to vote on account of race and color. The calculation of the author of the device, who was Mr. Blaine, and of the Republican members of Congress who supported it, was that the South, caught between the upper and nether millstones of it, would rather than have its federal numbers reduced extend the right to vote to the freedmen, in which case the new voters would augment the numerical strength of the Republican party and so confirm it in power; but, if on the other hand, the South should, in view of these future consequences, refuse to take that horn of the dilemma presented to it by Congress, it would be thrown upon the other horn which would operate with no less fatality to any future revival of its political ascendancy under the Constitution. Thoroughly clipped

in the wings and spurs of it, the dreaded Southern bird would, of course, be no match in the national cockpit for the mighty Northern fowl. Plainly the prime object of this scheme was not protection for the freedmen. Protection for the North and the Republican party was the one clear end which it was designed to reach. If the negroes got there, too, so be it. But their safe arrival could not be, under the circumstances, chargeable to the Republican party, but to an inscrutable Providence, for whose action in the premises that party could not possibly be held accountable at the polls.

Against this compromise proposition Sumner set himself like flint. He was not willing to intrust national security to the chapter of probabilities and accidents to which they were committed by the "Blaine Amendment." He would *establish* irreversible guaranties of freedom, and the public faith, and the national peace, all of which could be done in but one way, and that was by carrying out in the reconstruction of the South the promises of the Declaration of Independence, by the ample execution of the constitutional injunction to guaranty to the several Southern States as a condition precedent to their readmission into the Union a republican form of government. Nor more nor less would he support or be satisfied with.

Colored suffrage, he argued, was not a matter of national choice at all, but an overruling necessity. It was the all-sufficient guaranty, being in itself peacemaker, reconciler, schoolmaster, and protector. "And now," he said finely, "declaring my belief in liberty and equality as the God-given birthright of all men,

let me say, in the same spirit, if this be an error, it is an error I love—if this be a fault, it is a fault I shall be slow to renounce—if this be an illusion, it is an illusion which I pray may wrap the world in its angelic forms."

The "Blaine Amendment," after a while, passed both Houses of Congress, but was vetoed by the President. It was, thereupon, carried by the lower chamber over the veto, but in the Senate, owing to Sumner's opposition, it failed to receive the requisite two-thirds vote, and, therefore, was never submitted for ratification to the States. Sumner's opposition to this pretty political contrivance, which was to secure protection to the North and the Republican party at the expense of the negro, called down upon him from his Republican associates a good deal of harsh criticism. Thaddeus Stevens, in particular, bitterly blamed him for its final failure to pass the Senate over the head of the President. But none of these things moved Sumner from his fixed purpose to make colored suffrage an indispensable element in the reconstruction of the South.

The dread of a return of the South to power in the restored Union had another and unmistakable manifestation in this Congress. It was the meaning of the movement to secure the admission of Colorado and Nebraska to the ranks of the States, which would, when effected, give the North four more votes in the Senate and as many in the House, before the rebel States got back into their old places. Protection was the soul of this attempt, protection for the North, not for the negro, which the constitutions of these would-be States left no room for doubt.

Each of these instruments limited the right to vote to white male citizens.

But here again Sumner's uncompromising spirit proved a thorn in the sides of his party. His associates, not all, but many of them, were for creating two new States, regardless of the wrong which their fundamental laws did the colored race, because the exigencies of party called for more votes in Congress, and the Electoral College. But with Sumner principle was ever above party. He could not vote to grant the prayer of these applicant States when they came with the stain of inequality and caste upon their hands. No, however great might be the emergent needs of party, he could not and would not vote to admit Colorado and Nebraska until their constitutions were republican in form, and consistent with the Declaration of Independence.

Even stanch old Ben Wade did not consider the matter worth fighting for in Colorado in view of the insignificance of the number of colored people in the Territory. But Sumner retorted with characteristic integrity of purpose, that we should fight for a principle if by the sacrifice of it only one man was injured in his liberties. "In other times," he exclaimed, "the cry was 'No more slave States.' The cry of our time should be '*No more States with inequality of rights!*'"

After a protracted struggle Colorado and Nebraska were compelled to abandon the obnoxious distinction contained in their respective constitutions. It was not, however, until the short session that Nebraska got in, and this was achieved over the veto of the President. Colorado was less lucky, and her admis-

sion was longer delayed. But the principle of colored suffrage as an indispensable prerequisite for admission into the Union was established by the precedent made in the case of the former.

Sumner turned his attention likewise to the abolition of the hateful distinction against color which disfigured the election laws of the District of Columbia. Having become a member of the Committee on the District of Columbia, he pressed the justice of colored suffrage upon his associates until the Committee reported a bill prohibiting any exclusion from the right to vote on account of race and color. An educational qualification was at first grafted by way of amendment upon the bill, but it was afterwards rejected in the Senate, owing, no doubt, to the growing feeling that the suffrage must be without this qualification if the adoption of colored suffrage in the reconstruction of the South were to act as a barrier against the return of that section to power in the Union.

This was at the long session of the Thirty-ninth Congress, which could not be relied upon for any radical handling of the colored-suffrage question in opposition to the President. The bill extending the elective franchise to colored citizens of the District was, under the circumstances, allowed to go over to the short session, when the autumn election of 1866 should have occurred, and given the popular cue to dubious-minded Congressmen on the subject. The rapidly rising tide of public sentiment was flowing with accumulated force in but one direction, viz., toward a reorganization of the rebel States on the basis of universal suffrage as the only sure guaranty

to the continued political ascendancy of the North in the Union. Sumner was, therefore, wise to postpone action on the District Bill to the short session, when the voice of the Northern people should have been heard at the polls on reconstruction and colored suffrage.

On the first day of the short session he pressed the District Elective Franchise Bill to a vote in the Senate. Ten days afterward that body passed the measure without the educational qualification provision. The next day it went promptly through the House. It was vetoed by the President, but was passed by both Houses over the veto, and so became a law as well as a guide for similar legislation in the reconstruction of the South.

The Thirty-ninth Congress, having had its courage stiffened by the elections, was ready to inaugurate a policy of reconstruction of the rebel States in opposition to that of the President. The House took the initiative by the passage of a bill "for the efficient government of the insurrectionary States," which, as it went to the Senate, contained no provision in regard to colored suffrage or to the exclusion of rebels.

The consideration by the Senate of this bill developed wide divergencies of views on the subject by the Republicans of that body. Some were satisfied with measures of protection simply, while others wanted to add to protection colored suffrage as an act of justice to the freedmen which would operate at once as a safeguard to themselves against the old slavemasters and the best possible protection to the North from the same class.

This latter view finally prevailed with the Senate, which adopted a substitute bill, introducing the principle of colored suffrage into the South. This bill was rejected by the House because it did not exclude rebels from the right to vote. Without such a provision, it seemed to Thad. Stevens that the measure instead of protecting would "open the flood-gates of misery." The Senate, however, insisting on its substitute, the House receded from its position, and passed the Senate bill with an amendment which embodied to a limited extent the principle of exclusion of rebels. This action of the House was concurred in by the Senate. Vetoed by the President, the first Congressional Reconstruction Act passed both Houses over the negative of the executive and so became a law.

Congress, influenced by its fears, had at length got itself in motion and nearly in line with Sumner's position on the Southern question, by requiring that in voting for delegates to conventions to frame constitutions for the rebel States there should be no exclusion on account of race or color, and that this principle of equal suffrage should be embodied in the instruments so framed as an indispensable qualification for the readmission of these States into the Union.

In addition to colored suffrage as a factor in the reconstruction of the South, Sumner maintained that it was the duty of the national Government to guarantee universal education for that section also, and a homestead for every head of a family of freedmen. He was, besides, in favor of a more rigid exclusion of the disloyal portion of the Southern population from participation in the government of the Southern

States than was provided for by the Reconstruction Act. He wanted a provision incorporated in the Constitution of every Southern State, requiring its legislature to establish and support a system of free public schools, open to all without distinction of race or color. All these things were included in his scheme for the reconstruction of the South. All these things he tried again and again to have Congress include in its plan in that regard, but without avail.

Two other reconstruction measures, supplementary to the Act passed March 2, 1867, went through the Fortieth Congress in quick succession. Each of these Acts like the first law encountered the objections of President Johnson, and was thereupon passed over his veto by the two Houses of Congress. The contest between the National Executive and the National Legislature had meantime become very serious. The President seemed bent on balking Congress, and defeating the will of the North respecting the reconstruction of the South. The veto power was in constant requisition by him. With this powerful weapon he ran atilt against every measure passed by Congress and bearing any sort of relation to the two races in the South. Not even the joint resolution, proposing the adoption of the Fourteenth Amendment by the States, was able to escape the Presidential negative. On this Amendment to the Constitution, the North may be said to have set its heart and hope. The attempt of the President to kill it excited against him, in consequence, throughout that section passionate indignation and fierce aversion. The people became furiously anti-Johnson.

Congress, as the strife waxed between it and the President, became furiously anti-Johnson also.

More than any member of either branch of Congress, with the possible exception of Thad. Stevens, was Sumner opposed to the President and his Southern policy. And the President so understood it, and returned the hate of those great men measure for measure, heaping up and running over. From the steps of the White House, in a speech to a number of citizens who had gathered to pay their respects to him as the head of the nation on Washington's Birthday of the year 1866, Mr. Johnson classed Sumner, Stevens, and Wendell Phillips with Jefferson Davis, Toombs, and Slidell.

And Sumner's animadversions, it must be confessed, were hardly less personal or complimentary to the President, whose message on the Southern situation, the Defender of Humanity, characterized on the floor of the Senate as "whitewashing," finding a parallel between the whitewashing message of Franklin Pierce, which covered up the crimes committed against free Kansas by the slave-power, and the whitewashing message of Andrew Johnson, which covered up the actual condition of things in the South. A year later the Massachusetts Senator, in the same place, did not hesitate to denounce the chief magistrate as "a bad man," who had exposed himself in "a condition of intoxication while taking the oath of office as Vice-President." His speeches were rated as "maudlin," and their author was accused of degrading the country as it had never been before degraded. Nor were there wanting allusions to rumors "of pardons sold, or of personal corrup-

tion," nor yet the ominous invective that the President was "the enemy of his country."

The denunciation of the President "as the enemy of his country," naturally enough, produced a sensation among the friends of the Administration in the Senate. The speaker was quickly called to order, first by Mr. McDougall, and afterwards, on its repetition, by Mr. Doolittle. On the first point, the CHAIR [Mr. Anthony, of Rhode Island], declared the remarks in order, and on the second point, the question being submitted to the Senate, the language was again sustained. All this was significant, the grave charge against the executive head of the nation, and the action of the presiding officer of the Senate and of that body itself in relation to it, highly significant of the impeachment scheme, which Congress was even then preparing for the overthrow of its hated adversary.

Sumner's frank, fierce criticism of Andrew Johnson was strongly condemned by several of his Republican associates, like Fessenden and Sherman, on the ground that as a Senator he would be called to sit as one of the judges before whom the President would be tried, in the event of his impeachment. But Sumner held firmly to the complete immunity of the Senate in that regard, and its duty to consider the facts and circumstances of the case in advance of impeachment. For himself he did not doubt that the President was "a bad man," and that he should be "watched or removed."

This was certainly the view which Congress took of the matter. So decidedly was Congress of the opinion that the President needed to be watched that

it hardly dared to adjourn when once it assembled. If it passed an act to check his activity in one direction, he was sure to break out in another. It was move and checkmate, checkmate and move, between them, according to a sort of perpetual motion. When Congress convened, Sumner begrudged the least fraction of time for adjournment, which could be added to the term of the session. On one occasion Mr. Grimes, of Iowa, moved the adjournment of the two Houses at eleven and a half o'clock on a given date, whereupon, Sumner suggested *twelve* o'clock instead, giving as his reason that he was not willing to leave one half hour to the President, within which he may take advantage of the absence of Congress and issue commissions which might run to the last of the next session.

The President had announced his intention to "kick out of the Government" the opponents of his policy. And as he was a man with rather light extremities in this respect, he soon set to work with a vengeance to prove himself as good as his word. The opponents of his policy began to feel in consequence an official *vis a tergo* as far and as fast as the Presidential heels could reach. By the Tenure of Office Act, Congress essayed to restrain to a limited extent this recalcitrant propensity of the President. To Sumner's mind the check imposed by the Act went not far enough. He proposed to include within its intendment all officers and agents, except clerks, and the vacation of all offices filled by the President or heads of Departments without the advice and consent of the Senate since July 1, 1866, on the last day of the month of February of the year 1867.

Sumner's amendment being altogether too drastic a dose of Congressional rule for Republican stomachs to take, for there had already developed in the party decided differences and symptoms of reaction in the contest with the Executive Department of the Government, it was rejected by the Senate. But no sooner had the Office Tenure Act become law than the President, through the interpretation fastened upon it by his legal advisers, was able to evade its provisions. And so went on this duel between Congress and the President, growing fiercer and yet more fierce week after week and month after month, until exasperated to the highest degree of passion and resentment, Congress shot its last arrow, the impeachment, in the hope of destroying the one-man power of Andrew Johnson. Sumner sat as one of the judges of the impeached President, and voted him guilty of the high crimes and misdemeanors charged upon his head by the House of Representatives. Sumner filed a powerful statement of his reasons for so voting.

Swiftly in the track of the Congressional reconstruction measures armed foes sprang up to shoot them to death. Violence and misgovernment arose all over the South. Tremendous scenes and saturnalias of blood and scoundrelism appeared in every State. Thieves and thugs established between them a reign of terror, the like of which history has rarely been called to shudder and weep over.

Sectional and party selfishness and short-sightedness was the fatal rock on which the Congressional attempt to reconstruct the Southern States was wrecked. The President's policy had left out the negro and the North. The Congressional plan had

ignored the South and included the negro as a secondary consideration only. The terrible illiteracy of the new citizens, and their appalling poverty, this scheme did not grapple with or seek to reduce. Alas! Congress did not perceive that the Southern serf-power, so justly dreaded by it, could not be overthrown but by the general diffusion of intelligence and property among those who constitute the basis of that power. No plan or policy looking to the ultimate solution of the Southern problem will prosper which does not seek primarily the education and social well-being of the laboring classes of that section. And this, we think, is what Sumner had in his mind when he proposed a public school system for the South, open to all without distinction of race and color, and a homestead for the head of every family of freedmen.

## CHAPTER XV.

### CHARACTER AND CLOSING YEARS.

BETWEEN the two schools of political thought which have arisen under the American Constitution, viz., the State Rights and the Nationalist, Sumner held all his life firmly to the principles of the latter. In his published works the word "national" is habitually used instead of "federal" which carries with it the idea of many independent and local centres of government, rather than that of one supreme whole and authority which belongs to the other. That unity and power was the grand object of attainment of the framers of the Constitution, he had never a doubt. That the Republic had missed the aim of its founders in this regard was owing, he declared, to the fact that slavery, with its barbarisms and pretensions, had, in its long strife with freedom, taken refuge behind the bulwarks of the States, and, thus intrenched, had conducted its systematic and decentralizing operations against the unity and power of the nation. When the combatant fell, Sumner was desirous to demolish in one respect the fortification behind which it had been able to work such mischief to mankind, and to defeat the purpose of the Republic at the same time.

And this, while leaving untouched many things properly appertaining to local police, he believed might be accomplished by placing the great prin-

ciples and interests of national unity and human rights under central guardianship to the end that through all the parts there might be uniformity and identity in those regards. Or, as he put it in a lecture in New York, in 1867 : "As in the nation there can be but one sovereignty, so there can be but one citizenship. The unity of sovereignty finds its counterpart and complement in the unity of citizenship, and the two together are the tokens of a united people. Thus are the essential conditions of national life all resolved into three—*one sovereignty, one citizenship, one people.*"

It was in pursuance of this sublime idea that he, in February, 1869, when the Senate had under consideration a joint resolution from the House proposing the Fifteenth Amendment to the Constitution, offered a bill as a substitute, and vindicated the powers of Congress in the premises, on the principle that anything for Human Rights is constitutional. "There can be no State Rights against Human Rights," he exclaimed: "and this is the supreme law of the land, anything in the Constitution or laws of any State to the contrary notwithstanding."

Two years later, speaking in the Senate in support of the "Force Bill," he expressed himself again on this head and in this wise: "The nation will not enter the State, except for the safeguard of rights national in character, and then only like the sunshine, for the equal good of all. Here is a just centralism, here is a generous imperialism. Shunning with patriotic care that injurious centralism, and that fatal imperialism, which have been the nemesis of France, I hail that other centralism which supplies an equal

protection to every citizen, and that other imperialism which makes Equal Rights the supreme law, to be maintained by the national arm in all parts of the land."

Any man who follows an object with the earnestness and persistency with which Sumner pursued the one great purpose of his life is apt to be viewed by his contemporaries as a man of one idea. This was true in the case of Sumner who was looked upon by many in that light. But the criticism had for him no terrors. "Whoever does anything with his whole heart," said he with admirable sense, at the Republican State Convention of Massachusetts, held at Worcester, September 8, 1869, and which nominated him for his fourth term in the Senate; "whoever does anything with his whole heart makes it for the time his one idea. Every discoverer, every inventor, every poet, every artist, every orator, every general, every statesman is absorbed in his work, and he succeeds just in proportion as for the time it becomes his one idea."

If Sumner was eminently a man of one idea in this fine way, he was by no means so in that other which implies an incapacity for receiving a plurality of noble ideas. All the best and most advanced thoughts of the age for the betterment of the human family found welcome in the room of his capacious mind, aid and comfort in his all-embracing sympathies. Writing in May, 1872, to the Convention of the Massachusetts Labor Union, he evinced his interest in the movement for the reduction of the hours of work in words as happy as they are wise. The Eight-Hour Law he apprehended to be "especially valuable,

because it promises more time for education and general improvement. If the experiment is successful in this respect, I shall be less curious on the question of pecuniary profit and loss, for, to my mind, the education of the human family is above dollars and dividends."

He took an early and enlightened interest in the subject of Civil Service Reform, the refunding of the national debt, and the resumption of specie payments by the Government, the revision of the tariff and reduction of duties. Financial reconstruction after the war, which he placed in importance and the order of accomplishment second only to political reconstruction, he clearly perceived required two things at least to make it successful, viz., the maintenance of the national credit and the reduction of the burdens of taxation. And these he always insisted should never be forgotten in any measures looking to this grand economic achievement.

The Republican Party found in Sumner constant and earnest support where principles—ideas—were put forward and exalted by it. But when men waxed stronger than they in its councils and conduct, he was too true to blink at the change for the sake of merely personal and political ends. He promptly raised the voice of remonstrance and rebuke, refused to hold his peace where the offender was no less a personage than the chosen chief of the party and of the nation, as in the case of President Grant.

These two great men had unhappily no just appreciation of each other. The man of action and the man of thought are not apt to possess a superfluity of affection or appreciation the one for the other.

Sumner, no doubt, honestly believed that Grant knew nothing but war; and Grant as honestly supposed that Sumner had done nothing but talk. But in their quarrel an impartial observer must needs adjudge Grant very much to blame, much more so than was his illustrious antagonist, who upheld the declining influence of principles and ideas as against the extraordinary personalism and assumptions of the one-man power which signalized the administration of Grant.

The civil career of the great general, his best friends must confess, was not a brilliant success. His military training and notions of authority and obedience were not applicable to the office of President. They qualified him admirably to control the operations of war, but not to direct those of peace. He could lead armies better than he was able to lead a political party or manage the affairs of an empire.

Sumner shivered his first lance against the President on the occasion of his attempt to annex San Domingo to the United States. Grant had set his heart on the success of this scheme; had used his personal and official solicitation to secure its adoption by Congress, had made frequent visits to the capitol for the purpose, had even called on Sumner to enlist his personal influence in its behalf. But Sumner, for reasons sufficient and honorable, was immovably opposed to the scheme, and in two powerful speeches in the Senate thoroughly and sternly exposed the irregular, unworthy, and violent means and methods by which it was being pushed upon the people of San Domingo, while at the same time the independence of Hayti was menaced thereby.

Grant would not forgive Sumner for the part played by him toward defeating this pet international venture of the administration, nor would his supporters in the Senate. The military instincts and training of the President treated Sumner's opposition as an act of mutiny to his authority, and for which the great culprit must needs be punished as an example to others of a like disposition. Accordingly Sumner's friend, J. Lothrop Motley, American Minister to Great Britain, was recalled, and later Sumner himself was degraded from the chairmanship of the Foreign Relations Committee of the Senate.

But if Sumner's conduct in the San Domingo business failed to please the administration, it did not fail to please the Republic of Hayti, who, grateful to the defender of her independence, presented him with a gold medal in token of her sense of the value of the generous service rendered to her as a black nation. Believing that the spirit, if not the letter, of the Constitution disabled him from accepting the testimonial, Sumner so apprized the Haytian Government, which thereupon presented the medal to the Commonwealth of Massachusetts. It was deposited among similar treasures in the State Library, where it may still be seen. On May 31, 1872, Sumner delivered in the Senate, a philippic, which produced a sensation at the time. Its title, "*Republicanism vs. Grantism*," indicates its character. The speech was an elaborate and fiercely eloquent exposure of the sins of omission and of commission of the first administration of President Grant. Every one of those sins, and they were many and serious, Sumner, with avenging pen, had written in the pages of his philippic, had written them so

large, and touched them with such harsh and vivid passion, as to make an impression upon the country of the decline of political virtue, and of the rise and spread of official incapacity, selfishness, and misconduct, which was not soon forgotten by it.

In the Presidential canvass which followed, Sumner not only refused to support General Grant for reëlection, but threw his influence on the side of Greeley and the Liberal Republican revolt. The claims of party, and the "sacramental unction of a regular nomination," were never able, with him, to override the right of individual judgment, to nullify the rule of conscience and principle. He was essentially a freelance, an independent in politics, the first great Mugwump of Massachusetts. Much perplexed as to the course they ought to take in the election, Sumner's counsel was sought by the colored people. He frankly apprized them of his own inability to support Grant, and advised them to vote for Horace Greeley. Sumner's watchword for the campaign was: "The unity of the Republic and Equal Rights with Reconciliation."

One of the interesting incidents of the canvass was an open letter from James G. Blaine to Mr. Sumner, arraigning him as recreant to party and principle, and Sumner's response to the same. Finding himself, the reply caustically informed Mr. Blaine, "with so many others devoted to the cause I have always served that I had not missed you until you hastened to report absence." Blaine taunted Sumner with the outrage which he had suffered at the hands of Preston S. Brooks. Nast, in a clever caricature in *Harper's Weekly*, had made the assault do duty for the

Republican party and against Mr. Sumner and the Liberal Republican movement also. "Never while a sufferer," so ran on this particular head Sumner's reply to the open letter of Mr. Blaine; "never, while a sufferer, did anybody hear me speak of him [Brooks] in unkindness; and now after the lapse of more than half a generation, I will not unite with you in dragging him from the grave where he sleeps to aggravate the passions of a political conflict, and arrest the longing for concord."

"Nothing in hate," he said later in the campaign. "Nothing in vengeance. Nothing in passion. I am for gentleness. I am for a velvet glove; but for a while I wish the hand of iron." On the assembling of Congress in December, he introduced a bill to prohibit the placing of the "names of battles with fellow-citizens on the army register or the regimental colors of the United States." This was no new thought with Sumner. For as early as the spring of 1862 he introduced into the Senate a resolution against inscribing the names of victories on the regimental colors of the Union forces.

Nevertheless, there forthwith arose an outcry of wrath against him, as wanting in patriotism and other partisan absurdities because of the share taken by him in the campaign then just closed. Even Massachusetts joined angrily in the Republican hue and cry against her Bayard who had ever been in her service and that of freedom's, *sans peur et sans reproche*. But, as in other days, the frowns of friends, the passions of party, the clamor of the populace, could not move him from steadfast principles and fixed convictions of right. *Nothing for vengeance;*

*everything for justice* was his motto as a statesman. It was graven on his heart, bound as a frontlet upon his whole public career. Therefore did he seek reconciliation by the way of liberty and equality. Therefore was he in favor of amnesty and equal rights going together hand in hand, that the disabilities of the former slave and those of the former master should be removed by one act of forgiveness and protection.

In his reply to the letter of Mr. Blaine, Mr. Sumner had reminded that gentleman of the fate of the Supplementary Civil Rights Bill in a Congress controlled by large Republican majorities in both Houses, though urged by him, Sumner, almost daily upon its attention. The passage of this bill, which opened to all, without distinction of color, inns, juries, schools, public conveyances, and cemeteries, was with Sumner as the very apple of his eye. He made two admirable speeches in support of the measure. In the course of the one delivered in January, 1872, he quoted with effect that fine sentence of Rousseau's, that "It is precisely because the force of things tends always to destroy equality that the force of legislation should always tend to maintain it."

On January 27, 1874, he reintroduced his bill and made a last appeal for its passage. There was a noticeable insistence, an urgency, about his speech and manner on this occasion. What the Senate would do for equality he would have it do quickly. But with all his earnestness there was also a noticeable calmness, a softening of his austere temper, and, even for him, an unwonted solemnity and grandeur of tone. Those powerful weapons of his in earlier days, indig-

nation and invective, he had laid aside for those gentler ones, sweet persuasion and appeal.

"I hope my friend [Senator Edmunds] instead of criticism," said Sumner solemnly, almost sweetly, in the course of his speech, "will give that generous support which so well becomes him. He sees full well that, until this great question is completely settled, the results of the war are not secured, nor is this delicate and sensitive subject banished from these halls. Sir, my desire, the darling desire, if I may say so, of my soul, at this moment is to close forever this question so that it shall never again intrude into these chambers—so that hereafter in all our legislation, there shall be no such word as 'black' or 'white,' but that we shall speak only of citizens and of men. Is that an aspiration worthy of a Senator? Is such an aspiration any ground for taunt from the Senator from Vermont?"

Negro citizenship and suffrage, Sumner had championed on high ground, never to save the political power of a party or a section, but as a supreme duty which the Republic owed to each of its children, to the weakest because of their weakness. Equality before the law is, indeed, the only defense which poverty has against property in civilized society. Without it monopoly becomes crowned king, and labor crouching slave or serf.

Well did Sumner understand this truth—understand that wrong has a fatal gift of metamorphosis—ability to change form, color, without losing its identity and character. It had shed in America African slavery. It would reappear as African serfdom, unless put in the way of certain and utter ex-

tinction. Equality before the law, he had the sagacity to perceive, could alone avert such a calamity, consummate so vast a good. Strenuously, he toiled to make it everywhere a conquering force, the master-principle in the political and social life of America.

As his years increased, so grew his passion for justice and equality. He never wearied of sowing and resowing the statutes of the nation, and the mind of the people with the grand ideas of the Declaration of Independence, that American *Magna Charta* and store-house of equality. This entire absorption in one lofty purpose lent him a singular aloofness and isolation in the politics of the times.

He was not like other political leaders. *He* laid stress on the ethical side to statesmanship, *they* emphasized the economical. *He*, all his life long, was chiefly concerned about the rights of persons, *they*, about the rights of property. Such a soul could not be a partisan. Party with him was an instrument and nothing else. As long as it proved efficient, subservient to justice and truth, he gave it his hearty support. To others, on the contrary, party was as much of an end as it was an instrument.

In such circumstances moral ideas cannot maintain their supremacy in political bodies. The lust of power will push them from the party throne and assume the crown instead. It was, therefore, a foregone conclusion that Sumner and his party should quarrel. The extraordinary personalism and assumptions of Grant's first administration provided the *casus belli*. The breach so made steadily widened between Sumner and the leaders of the Republican party.

Sumner's imposing figure grew thenceforth more distant and companionless. Marital unhappiness added during these last years to the gloom which was settling upon his life. On October 17, 1866, he was married to Mrs. Alice Hooper (*née* Mason), of Boston. They did not live long together, and he was divorced from her, May 10, 1873. This domestic infelicity ate harpy-like into his proud heart. In the summer of 1872 his health gave decided symptoms of decline. The injury which his constitution had suffered from the assault of Brooks presently developed new complications, and renewed all the old bodily anguish. A temper, always austere and imperious, was doubtless not mended by this harassing combination of troubles. Alone, in this extremity, he trod the wine-press of bitter sorrows.

He no longer had a party to lean on. Massachusetts, alas ! had joined the harsh, ungrateful world, had turned in anger and with cruel words from her great-hearted son. Her Legislature had passed a resolution of censure of him because of his Battle-flag Bill in the Senate, already referred to. That wretched act was, however, tardily rescinded and a committee sent to Washington in the winter of 1874 to communicate the grateful tidings to Mr. Sumner.

No woman's hand administered to him in the crisis of his need. He had nothing but his cause. And to this he clung with the pathos and passion of a grand and solitary spirit. Now the grasshopper became a burden, and the once stalwart limbs could not carry him with the old-time ease and regularity to his seat in the Senate. His chair became frequently vacant. An overpowering weariness and weakness were set-

tling upon the dying statesman. Still his thoughts hovered around their one paramount object. Like as the eyes of a mother, about to die, are turned and fixed on a darling child, so turned his thoughts to the struggling cause of human brotherhood and equality. Almost his last words were—"Take care of my Civil Rights Bill." For this the great soul would toil yet a little while. But it was otherwise decreed, and the illustrious Defender of Humanity passed away March 11, 1874, at his home in Washington, leaving to his country and to mankind, as a glorious heritage, the moral grandeur of his character and achievements.

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